

MOBILE CITY PLANNING COMMISSION MINUTES
MEETING OF NOVEMBER 15, 2007 - 2:00 P.M.
AUDITORIUM, MOBILE GOVERNMENT PLAZA

Members Present

Terry Plauche, Chairman
James Watkins, III, Vice-chairman
William DeMouy, Secretary
Steve Davitt
Nicholas Holmes, III
Mead Miller
Victoria L. Rivizzigno
Roosevelt Turner
John Vallas

Members Absent

Clinton Johnson

Urban Development Staff Present

Richard L. Olsen,
Deputy Director of Planning
Bert Hoffman,
Planner II
David Daughenbaugh,
Urban Forestry Coordinator
Tiffany Green,
Secretary I

Others Present

John Lawyer,
Assistant City Attorney
Rosemary Sawyer,
City Engineering
Jennifer White,
Traffic Engineering

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.

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

HOLDOVERS:

Case #SUB2007-00219 (Subdivision)

Hopkinton Estates Subdivision

West terminus of Redstone Drive South, extending to the East terminus of Roberts Lane East

Number of Lots / Acres: 523 Lots / 226.0± Acres

Engineer / Surveyor: Rester and Coleman Engineers, Inc.

County

Chris Arledge, 3030 Knollwood Drive, Mobile, AL, 36693, of the Atchison Law Firm, spoke on behalf of the applicant, Ferrari Capital Partners, and requested a holdover until the December 6, 2007, meeting.

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Mr. Olsen advised the Commission that the requested date did not allow the staff adequate time for proper notification in the community, as well as noting the December 6, 2007, agenda was already very lengthy.

The Chair stated the matter would be held over until the December 20, 2007, meeting, however, if anyone wished to speak on the matter this day to please do so at that time.

The following people spoke in opposition to the matter:

Chad Fincher, Alabama State Representative, District 102;
Timothy Hale, 9265 Roberts Lane East, Semmes, AL;
Judy Hale, 9265 Roberts Lane East, Semmes, AL; and,
Doug Ferguson, 2701 Firetower Road, Semmes, AL.

They expressed the following points of concern:

- A. the proposed project is very large with at least 220 lots shown on the plat, and that many new homes would create a significant increase in the area's traffic, where many of the area roads are small, "wind-y", with some unable to accommodate school buses and prone to flooding;
- B. the area schools are already beyond their capacity with the number of students they serve;
- C. the area is comprised of a number of very small neighborhoods and putting in a project of this size would significantly effect the character of those neighborhoods;
- D. the Mobile website indicated a growth rate of up to 199% in the Semmes area in the last 15 years, and it is not believed that the current infrastructure can support that type of continued growth, and while area residents are not against growth, they are more in favor of controlled growth and do not see the current plans as showing any signs of control; and,
- E. there is a swampy area that is being considered "green" space as part of their innovative subdivision application, and it is felt that a swamp should not be given "green" space credit.

Mr. Vallas asked if the Commission had not previously held the matter over with the recommendation that the developers pursue a traffic study.

Mr. Olsen stated that the Commission had decided that a traffic study or documentation from the Mobile County Engineering Department stating that the proposed development had adequate road access would be sufficient.

Mr. Vallas asked, regarding the issue of adequate schools in the area, if a developer comes in with a project where they are building a very large number of units which have

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a target market of retirees, should the issue of available adequate school facilities be a factor that is weighed into the decision making process.

Mr. Lawler advised that the purposes outlined in the Subdivision Regulations were in place to make sure that developments were compatible with surrounding properties and occur in an orderly fashion with adequate access (i.e. streets, schools, etc.). He also reminded the Planning Commission that it was within their purview to make better communities for all, including considering the impact developments might have on such things as Big Creek Lake, the source of Mobile's water supply.

Mr. Ruffer, Mobile County Engineering Department, addressed the Commission regarding why his department was not officially responding to this issue. He stated that his department and his governing body, the Mobile County Commission, felt it very important that their subdivision regulations not apply within the Planning Commission jurisdictions of the municipalities within the county. He stated the county only had physical and geometric standards for roads within the county if those roads were to be accepted for maintenance, as well as enforcing the State's building code, but the county had no zoning authority. He added that the county only did traffic studies for the County Commissioners and for their own purposes, and in as much, they did not make official comments on traffic with regards to planning.

Mr. Vallas asked if the engineer could comment on a traffic study done by an outside source.

Mr. Ruffer said he was not able to make any official comments as the County Commission did not have a policy for traffic studies, but expressed his opinion that the city's Traffic Engineering Department would be the appropriate body to comment on any traffic impact study delivered by an outside source.

Mr. Miller expressed that the Commission wanted the county's input on traffic as the county knew its time frame regarding any upgrades to roads in the area of the development and that information would be of value in their decision making process.

Hearing no further opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. Watkins, to hold the matter over until the December 20, 2007, meeting at the applicant's request.

The motion carried unanimously.

Case #ZON2007-02219 (Rezoning)

Christopher C. Knowles III

650 Palm Street

Northeast corner of Palm Street and Cotton Street

Rezoning from R-1, Single-Family Residential, to B-3, Community Business, to allow a cabinet shop

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Don Rowe, Rowe Surveying and Engineering Company, Inc., spoke on behalf of the applicant. He made the following points in an effort to sway the Commission from the staff's recommendation for denial:

- A. the property is an existing warehouse that was legally built as such years ago under a variance, thereby making it a commercial establishment, even though it is currently in a R-1 zone;
- B. the current tenant wants to use it for a custom cabinet shop and needs to change the zoning because the variance is for a warehouse;
- C. the staff recommendation for denial is based upon it being R-1, single family residential, however, the property has not been residential in years, which is in itself a hardship; and,
- D. the staff report noted square footage and green space as cause for denial, but the yard space available does not meet the city's current green space requirements, however, if the zoning is approved, the applicant is aware that a variance regarding green space will have to be sought from the city's Board of Zoning Adjustment.

Mr. Vallas asked if it had been determined that the current building was put on the property by variance in the early 1960's, as variances, once granted and acted upon, were in perpetuity with the property, regardless of ownership or vacancy. It was also discussed that the staff had made notes in the report that the matter might be better addressed by going to the Board of Zoning Adjustment for another variance.

Mr. Miller questioned if the Commission denied the application, would it hurt the applicant in their seeking a variance.

Mr. Olsen said that it would not, and that given the circumstances, a variance would probably be the more appropriate route.

Hearing no opposition or further discussion, a motion was made by Mr. Miller, with second by Dr. Rivizzigno, to deny the application based upon the following reasons:

- 1) **no reasons have been provided to justify the rezoning request;**
- 2) **size of site to be rezoned does not meet the minimum area recommended in Section 64-3.A.5.a. of the Zoning Ordinance;**
and,
- 3) **the landscape area does not meet the minimum requirements of the Zoning Ordinance.**

The motion carried unanimously.

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Case #SUB2007-00242 (Subdivision)

Bristol Subdivision, First Addition and Addition

3695 Hardeman Road

West side of Hardeman Road, 1000'+ South of Broughton Drive

Number of Lots / Acres: 1 Lot / 2.0+ Acres

Engineer / Surveyor: Polysurveying Engineering – Land Surveying
County

Brett Orrell, Polysurveying of Mobile, spoke on behalf of the applicant and asked that the matter be held over based upon a lack of understanding regarding the staff's recommendation for denial.

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

- A. it does not reflect the entire property that is a part of the subdivision;
- B. only the lot in question is shown on the plat, not the overall parent parcel; and,
- C. it needs to be shown as a two lot subdivision.

Hearing no opposition or further discussion, a motion was made by Mr. Plauche, with second by Mr. Watkins, to hold the matter over until the December 20, 2007, meeting at the applicant's request.

The motion carried unanimously.

Case #SUB2007-00248 (Subdivision)

Ramer Creek Estates Subdivision

Southeast corner of Repoll Road and Repoll Boulevard (private road)

Number of Lots / Acres: 25 Lots / 9.8+ Acres

Engineer / Surveyor: Byrd Surveying, Inc.
County

Jerry Byrd, Byrd Survey Inc., stated the applicant was agreeable with the recommendations and if there were any neighbors who had questions, he would be glad to answer them.

The following people spoke in opposition:

- Rip Pfiffer, 171 Mobile Infirmary Boulevard, president of the Escatawpa River Society; and,
- Cassie Calloway, executive director, Mobile Bay Keepers.

They discussed the following points of concern:

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- A. the subdivision, as proposed, will go in just south of Miller Creek where it crosses Repoll Road. Neighbors have stated the creek already comes to the top of this bridge on numerous occasions. This area, based upon pictures, is only a few feet above the banks of Miller Creek, which drains into Big Creek Lake, which is a part of the Escatawpa Watershed and the source of the Mobile area drinking water supply;
- B. any plans to dam, culvert, and/or pipe any named creeks should be closely examined because, when done, it turns them into polluted streams that lose all of their aquatic life. Also, when developments take place down stream from areas that are in flood plains, they release their discharge into these streams and people living downstream suffer. Conversely, when developments take place up stream, they create flooding problems not seen in those areas previously;
- C. observing stream side management zones, though not law in Alabama, but currently practiced by forestry personnel, means not cutting trees, plants, and/or ground cover any where from 25 feet to 75 feet on either side of known streams, thus preserving the water quality of these smaller waterways;
- D. Big Creek Lake, the source of the area's drinking water, is the most pristine, natural body of water in the country and all members of the community, including local governmental agencies, must assure that measures are taken and the correct infrastructure is in place to assure it's safety, that best management practices are adhered to and that sewage is handled in the safest manner, so that "we carefully plan for the protection of our drinking water resources for the next 50 to 100 years;" and,
- E. currently, Mobile was using flood maps that were developed using 1979 Hurricane Frederick maps and 1969 Hurricane Camille maps and the storm surge information related to both of those storms without taking into account growth and development that has taken place, and/or has been approved since. This is important because the more area developed along a waterway, the more wetlands are taken up, the faster the water along that waterway moves and the wider the flood plain there becomes.

Mr. Byrd responded to the concerns with the following comments:

- A. appropriate detention procedures would be in place to handle stormwater run off;
- B. all plans are subject to county engineering and ADEM approval prior to construction;
- C. the elevation between the Miller Creek area mentioned and the proposed lowest elevation is considerably different in height;

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- D. the developers would not consider building in a flood plain and certainly would not build in a flood way; and,
- E. FEMA is currently working on new flood maps for the area, however, there are no estimated time tables on those being published, so the applicant would like to proceed based upon the available data at hand.

In deliberation, Mr. Miller expressed his concern over this and other environmental issues facing the Commission that day, noting his opinion that ADEM had always been an adequate steward of the state's environment. He questioned whether it was within the power of the Commission to require that the vegetation along the stream bank not be disturbed.

Mr. Turner also asked if it was part of the Commission's approval process to ask agencies like ADEM for an official opinion on such matters.

Mr. Lawler advised the Commission of the following points:

- A. that within the Purposes section of the Subdivision Regulations, the Commission was charged with taking into consideration vegetation, trees, water, whether or not the subdivision will have adequate sewage, and the presence of the necessary infrastructure;
- B. extremely dense developments create more stormwater run off, which in turn, effects the water supply; and,
- C. the general purposes of the Subdivision Regulations are to develop communities that take into account neighboring property owners as well as the community as a whole, with the protection of the community's water source certainly a point of concern.

Mr. Vallas commented that in the future he would like to see best management practices made a requirement for subdivisions located near waterways and wanted the Commission to discuss this more in their upcoming business meeting.

Hearing no further opposition or pertinent 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) placement of a note on the final plat stating that maintenance of the common areas, including retention areas, is the responsibility of the home owners;**
- 2) labeling each lot with its size in square feet, or a table depicting the same information on the Final Plat;**
- 3) placement of a note on the Final Plat stating that Lots 1 and 25 are limited to one curb-cut each with the size, design and location to be approved by County Engineering;**

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- 4) **construction and dedication of the new street to County Engineering standards;**
- 5) **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;**
- 6) **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;**
- 7) **the submission of a letter stating the compliance of Section V.D.2. of the Subdivision Regulations prior to the signing of the Final Plat or documentation from the developer stating the location and design of a centralized sanitary system to handle the wastewater of the subdivision; and,**
- 8) **placement of a note on the plat stating that the approval of all applicable federal, state and local agencies is required prior to the issuance of any permits or land disturbance activities, as depicted on the preliminary plat.**

The motion carried unanimously.

Case #SUB2007-00244 (Subdivision)

Orchard Baptist Church Subdivision

6960 Overlook Road

Southeast corner of Overlook Road and Howells Ferry Road

Number of Lots / Acres: 1 Lot / 7.0+ Acres

Engineer / Surveyor: Polysurveying Engineering – Land Surveying

Council District 7

(Also see **Case #ZON2007-02381 (Sidewalk Waiver) Orchard Baptist Church, Case #ZON2007-02383 (Planned Unit Development) Orchard Baptist Church Subdivision**, and, **Case #ZON2007-02382 (Rezoning) Orchard Baptist Church**, 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) **correction/depiction of dimensions along the South and East property lines, to coincide with those from Overlook Station Subdivision;**
- 2) **placement of a note on the final plat stating that the site is limited to a maximum of three, 24' wide curb cuts, size, size,**

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- location, and design to be approved by Traffic Engineering and conform to AASHTO standards; and,
- 3) removal of extraneous paving materials from the continuous curb cut and installation of landscape material, to coincide with redesigned and approved 24' wide curb cuts.

The motion carried unanimously.

Case #ZON2007-02381 (Sidewalk Waiver)

Orchard Baptist Church

6960 Overlook Road

Southeast corner of Overlook Road and Howells Ferry Road

Request to waive construction of a sidewalk along Overlook Road and Howells Ferry Road.

Council District 7

(Also see **Case #SUB2007-00244 (Subdivision) Orchard Baptist Church Subdivision**, above, **Case #ZON2007-02383 (Planned Unit Development) Orchard Baptist Church Subdivision**, and, **Case #ZON2007-02382 (Rezoning) Orchard Baptist Church**, 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 sidewalk waiver, based on City Engineering's agreement with the applicant's contention.

The motion carried unanimously.

Case #ZON2007-02383 (Planned Unit Development)

Orchard Baptist Church Subdivision

6960 Overlook Road

Southeast corner of Overlook Road and Howells Ferry Road

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

Council District 7

(Also see **Case #SUB2007-00244 (Subdivision) Orchard Baptist Church Subdivision**, **Case #ZON2007-02381 (Sidewalk Waiver) Orchard Baptist Church**, above, and **Case #ZON2007-02382 (Rezoning) Orchard Baptist Church**, 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. Turner, with second by Mr. Davitt, to hold the matter over until the December 20, 2007, meeting to allow the applicant time to revise the plan to include all properties associated with the church and used for church functions (parking, services, classrooms, etc), and illustrate revisions to

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parking facilities as referenced in the remarks section of this report. Revisions are due by November 29, 2007.

The motion carried unanimously.

Case #ZON2007-02382 (Rezoning)

Orchard Baptist Church

6960 Overlook Road

Southeast corner of Overlook Road and Howells Ferry Road

Rezoning from R-1, Single-Family Residential, and B-2, Neighborhood Business, to B-1, Buffer Business, to eliminate split zoning in a proposed one-lot subdivision for a church.

Council District 7

(Also see **Case #SUB2007-00244 (Subdivision) Orchard Baptist Church Subdivision**, **Case #ZON2007-02381 (Sidewalk Waiver) Orchard Baptist Church**, and, **Case #ZON2007-02383 (Planned Unit Development) Orchard Baptist Church 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 rezoning request, subject to the following conditions:

- 1) **the site is limited to a maximum of three, 24' wide curb cuts, size, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards;**
- 2) **removal of extraneous paving materials from the continuous curb cut and installation of landscape material, to coincide with redesigned and approved 24' wide curb cuts;**
- 3) **completion of the subdivision process prior to the issuance of any permits;**
- 4) **development limited to an approved PUD; and,**
- 5) **full compliance with all municipal codes and ordinances.**

The motion carried unanimously.

Case #SUB2007-00257 (Subdivision)

J & D Subdivision

3305 Spring Hill Avenue

East side of Ingate Street, extending from Spring Hill Avenue to Old Carline Street

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

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

Council District 1

(Also see **Case #ZON2007-02388 (Planned Unit Development) J & D Subdivision**, and, **Case #ZON2007-02387 (Rezoning) James S. McAleer**, 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. Vallas, with second by Mr. Davitt, to approve the above referenced subdivision, subject to the following conditions:

- 1) **depiction of the 25-foot minimum building setback line from all street frontages;**
- 2) **placement of a note on the plat stating that the site is limited to 3 existing curb-cuts onto Springhill Avenue, 2 existing curb-cuts onto Car Line Street, and 1 proposed curb-cut onto Ingate Street (eliminating the existing curb-cut), with the size, design and location to be approved by Traffic Engineering and to comply with AASHTO standards; and,**
- 3) **provision of revised PUD and Planning Approval site plans to the Planning Section of Urban Development prior to the signing of the final plat.**

The motion carried unanimously.

Case #ZON2007-02388 (Planned Unit Development)

J & D Subdivision

3305 Spring Hill Avenue

East side of Ingate Street, extending from Spring Hill Avenue to Old Carline Street

Planned Unit Development Approval to allow increased site coverage in a one-lot commercial subdivision

Council District 1

(Also see **Case #SUB2007-00257 (Subdivision) J & D Subdivision**, above, and, **Case #ZON2007-02387 (Rezoning) James S. McAleer**, 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. Vallas, with second by Mr. Davitt, to approve the above referenced Planned Unit Development, subject to the following conditions:

- 1) **application for a parking ratio variance, and approval of the request by the Board of Adjustment prior to the issuance of building permits;**
- 2) **compliance with the tree and landscaping requirements to be coordinated with Urban Forestry;**
- 3) **relocation of the tree proposed at the corner of Ingate Street and Springhill Avenue to the green space located between the existing and proposed parking areas, so that visibility hazards are reduced;**

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- 4) revision, at the applicant's discretion, of the existing parking area to shift some parking to an expanded new parking area, and replacement of the shifted existing parking spaces with landscaping and directional arrows to create a one-way circulation in the existing parking area;
- 5) revision of the PUD site plan to show correct totals for parking and tree quantities;
- 6) placement of a note on the site plan stating that the site is limited to a maximum of 64% building site coverage;
- 7) provision of a revised PUD site plan to the Planning Section of Urban Development prior to the signing of the final plat;
- 8) completion of the Subdivision process; and,
- 9) full compliance with all municipal codes and ordinances for new construction.

The motion carried unanimously.

Case #ZON2007-02387 (Rezoning)

James S. McAleer

3305 Spring Hill Avenue

East side of Ingate Street, extending from Spring Hill Avenue to Old Carline Street

Rezoning from B-1, Buffer Business, and B-3, Community Business, to B-3 Community Business, to eliminate split zoning in a proposed commercial subdivision

Council District 1

(Also see **Case #SUB2007-00257 (Subdivision) J & D Subdivision**, and, **Case #ZON2007-02388 (Planned Unit Development) J & D 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. Vallas, with second by Mr. Davitt, to approve the above referenced rezoning request, subject to the following conditions:

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

The motion carried unanimously.

Case #SUB2007-00259 (Subdivision)

DIP/HMR Subdivision

Southwest corner of Dauphin Island Parkway and Halls Mill Road.

Number of Lots / Acres: 2 Lot / 1.4+ Acres

Engineer / Surveyor: Byrd Surveying, Inc.

Council District 3

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

Jerry Byrd, Byrd Surveying Inc., spoke on behalf of the applicant, asking that rather than hold the matter over as recommended, the Commission consider an earlier recommendation for approval, as the only issue requiring a holdover was the review of documentation regarding the parcel's status as a legal lot of record prior to 1952. He stated he had recently given the staff that documentation.

Mr. Olsen stated that based upon the previous conditions, the staff would be fine if the Commission chose to approve the matter.

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

- 1) **provision of 50 feet of right-of-way measured from the centerline of each street;**
- 2) **the depiction on the final plat of the 25' front setback line along Halls Mill Road and Dauphin Island Parkway;**
- 3) **placement of a note on the final plat stating that the Lot 1 is limited to two curb cuts to each street, and Lot 2 is limited to one curb cut to Halls Mill Road, with the size, location, and design to be approved by Traffic Engineering, and conform to AASHTO standards;**
- 4) **submission of a PUD application if existing buildings are to remain on Lot 1 site;**
- 5) **submission of an application for an *administrative* PUD if additional structures are proposed for Lot 2; and,**
- 6) **compliance with Section V.A.7. of the Subdivision Regulations.**

The motion carried unanimously.

EXTENSIONS:

Case #SUB2003-00256 (Subdivision)

The Bluffs at Cypress Creek Subdivision

350'± North of the North terminus of Cypress Business Park Drive, extending East along the North side of the proposed extension of Cypress Business Park Drive to the L & N Railroad right-of-way

Number of Lots / Acres: 53 Lots / 53.0± Acres

Engineer / Surveyor: Rester and Coleman Engineers, Inc.

Council District 4

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. Watkins, to approve this extension; however, the applicant should be advised that a fifth extension is unlikely.

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The motion carried unanimously.

Case #SUB2004-00231 (Subdivision)

Audubon Cove Subdivision

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

Number of Lots / Acres: 57 Lots / 58.2± Acres

Engineer / Surveyor: Polysurveying Engineering – Land surveying

Council District 4

Brett Orrell, Polysurveying of Mobile, spoke on behalf of the applicant regarding the staff's recommendation for denial of the requested extension. He said that due to the slow down in construction and design, the applicant simply needed another year.

In deliberation, Mr. DeMouy noted the matter had been extended twice before.

Mr. Vallas added that the extension request heard immediately prior to this matter had been approved for its fifth extension.

Hearing no opposition or further discussion, a motion was made by Mr. DeMouy, with second by Mr. Vallas, to approve this extension; however, the applicant should be advised that future extensions are unlikely.

The motion carried unanimously.

Case #SUB2006-00164 (Subdivision)

Hawk's Landing Subdivision

West side of Ching Dairy Road at the West termini of Rose Ching Drive, Ching Lynch Road, and Longview Road, extending to the North terminus of Sky Terra Drive

Number of Lots / Acres: 158 Lots / 40.0± Acres

Engineer / Surveyor: Ron W. Henderson

County

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Dr. Rivizzigno, to approve the above referenced subdivision extension.

The motion carried unanimously.

NEW SUBDIVISION APPLICATIONS:

Case #SUB2007-00270

Shaikh Subdivision

4350 Midmost Drive

North side of Midmost Drive, 460'± East of Downtowner Loop West

Number of Lots / Acres: 1 Lot / 0.7± Acre

Engineer / Surveyor: Byrd Surveying, Inc.

Council District 5

Jerry Byrd, Byrd Surveying Inc., spoke on behalf of the applicant, saying a letter had been provided to the staff explaining the earlier subdivision of the property. He stated that there had originally been 100 foot lots, but in 1973, 60 feet of one of the adjacent lots was sold, built out, and has had businesses operating in that location since, and the remaining 40 feet was included with the remaining 100 foot parcel, creating the 140 foot subdivision before them today. He added the building had changed hands approximately three times, and the property sold about two times, however, neither of the two current owners were party to the original subdivision.

Mr. Olsen advised the Commission that the staff did, indeed, have the letter Mr. Byrd referenced, and that he was unaware of how it was overlooked, however, with all of this in mind, the staff would have no problem with the Commission approving the matter.

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

- 1) placement of a note on the plat stating that the lot is limited to one curb-cut onto Midmost Drive, with the size, design and location to be approved by Traffic Engineering and conform to AASHTO standards; and,**
- 2) revision of the plat to label the lot with its size in square feet.**

The motion carried unanimously.

Case #SUB2007-00273

SKCO Subdivision

North side of Airport Boulevard, 107'± West of Border Circle West

Number of Lots / Acres: 1 Lot / 4.1± Acres

Engineer / Surveyor: Polysurveying Engineering – Land Surveying County

Brett Orrell, Polysurveying of Mobile, spoke on behalf of the applicant, saying they were agreeable with all conditions listed by the staff, except the limit of two curb cuts, as the site currently had three.

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Mr. Vallas asked if this subdivision was located in the county and if so, had the county's engineers reviewed the application.

Mr. Olsen advised this was in the newly annexed area for the city, but that the Mobile County Engineering Department were still reviewing applications and issuing permits until January 15, 2008, when the area would come under full city code review. He also added that it was his understanding that the property would be re-developed for a major addition. He said that if the Commission were so inclined to allow the three curb cuts to remain at this time, they could add, as a requirement, that were the site to be re-developed or have a major addition constructed, at that time the site would be limited to two curb cuts.

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

- 1) **labeling of the lot with its size in square feet (in addition to acres), or the provision of a table on the final plat with the same information;**
- 2) **placement of a note on the final plat stating that the site with existing development is limited to the existing three curb cuts to Airport Boulevard and one curb cut to Border Circle West, however, new development will be limited to two-curb cuts onto Airport Boulevard and one curb cut to Border Circle West, with the size, location, and design to be approved by Traffic Engineering, and conform to AASHTO standards;**
- 3) **placement of a note stating that if permits are issued prior to January 15, 2008, Mobile County requirements will be enforced;**
- 4) **placement of a note stating that if permits are issued after January 15, 2008, all applicable municipal codes and ordinances of the City of Mobile will be enforced; and**
- 5) **placement of a note on the final plat stating that if the site is developed commercially prior to January 15, 2008, a buffer strip, in compliance with Section V.A.7. of the Subdivision Regulations shall be provided where the site abuts residentially developed property.**

The motion carried unanimously.

Case #SUB2007-00267

Brennerdom Subdivision, Resubdivision of

West side of Eliza Jordan Road North, 450'± South of Rays Lane (private road)

Number of Lots / Acres: 2 Lots / 15.0± Acres

Engineer / Surveyor: Baskerville Donovan, 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. Miller, with second by Mr. Davitt, to approve the above referenced re-subdivision, subject to the following conditions:

- 1) **provision of a 75' setback from the centerline of Eliza Jordan Road;**
- 2) **placement of a note on the final plat stating that both lots are limited to one curb cut each to Eliza Jordan Road, with the size, location and design to be approved by County Engineering;**
- 3) **submission of a letter from licensed engineer certifying compliance with the City of Mobile's stormwater and flood control ordinances must be provided to the Mobile County Engineering Department and the Planning Section of Urban Development prior to issuance of any permits;**
- 4) **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,**
- 5) **placement of a note on the final plat stating no further re-subdivision of Lot B unless and until additional access to a paved, county maintained road is provided.**

The motion carried unanimously.

Case #SUB2007-00268

Sanbrook Estates Subdivision, Unit Two

South terminus of D'Iberville Drive North (private street), extending to the East terminus of Dutchman Woods Drive, and the West side of an unopened, unnamed public right-of-way

Number of Lots / Acres: 2 Lots / 37.0± Acres

Engineer / Surveyor: Byrd Surveying, Inc.

County

Jerry Byrd, Byrd Surveying Inc., spoke on behalf of the applicant, saying they were agreeable to everything with the exception of the road requirements, which caused some concerns due to the fact this was to be a family subdivision. At that point, he let Bernard Brooks, 2850 D'Iberville Drive, son of the applicant, speak on the matter.

Mr. Brooks said they did not want to see the private, paved road constructed to county standards as it would create environmental issues as the drive runs beside a lake which is the head of Hall's Mill Creek.

Mr. Olsen noted that as long as it remained private, the staff had no issues, but they wanted to assure that if it should go into the hands of others in the future and be re-subdivided, they would have to meet county standards with that road.

William Smith, 8455 Nugget Drive, also offered his concerns regarding whether or not this subdivision would disturb any of the wetlands on the site.

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

- 1) **placement of the building setback line for the West side of Lot 2 along the East edge of the Alabama Power Company right-of-way easement;**
- 2) **placement of the 25' minimum building setback line on the East side of Lot 2 along the unopened, unnamed public right-of-way;**
- 3) **placement of a note on the final plat stating that Lot 2 is denied access to the unopened, unnamed right-of-way along the East side until it is constructed to County standards;**
- 4) **revision of the plat to indicate the vacated portion of the unopened, unnamed public right-of-way along the East side of the property, North of the West terminus of Nugget Drive;**
- 5) **placement of a note on the final plat stating that there shall be no future re-subdivision of Lot 1 until Private Road 074 has been improved to County standards and dedicated to Mobile County;**
- 6) **labeling of each lot with its size in acres, or the provision of a table furnishing the same information;**
- 7) **placement of a note on the final plat stating that the approval of all applicable federal, state and local agencies is required prior to the issuance of any permits or land disturbance activities;**
- 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; and,**
- 9) **placement of a note on the Final Plat stating that development will be designed to comply with the stormwater detention and drainage facilities 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 facilities of the City of Mobile stormwater and flood control ordinances prior to the issuance of any permits. Certification to be submitted to**

**the Planning Section of Urban Development and County
Engineering.**

The motion carried unanimously.

Case #SUB2007-00269

Springhill Commercial Park Subdivision, Unit Three, Resubdivision of

East side of Springhill Memorial Drive West, extending from Springhill Memorial Drive North to Springhill Memorial Drive South

Number of Lots / Acres: 2 Lots / 6.4± Acres

Engineer / Surveyor: Byrd Surveying, 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. Vallas, to approve the above referenced re-subdivision, subject to the following conditions:

- 1) **placement of a note on the final plat stating that Lot A is limited to two curb cuts to Springhill Memorial Drive North, with the size, location, and design of all curb cuts to be approved by Traffic Engineering and conform to AASHTO standards;**
- 2) **placement of a note on the final plat stating that Lot B is limited to two curb cuts to each Springhill Memorial Drive North, Springhill Memorial Drive West, and Springhill Memorial Drive South, with the size, location, and design of all curb cuts to be approved by Traffic Engineering and conform to AASHTO standards;**
- 3) **illustration of a 25' minimum building setback line along all street frontages;**
- 4) **labeling of each lot with its size in square feet, or the provision of a table on the final plat with the same information;**
- 5) **full compliance with all municipal codes and ordinances; and,**
- 6) **subject to the Engineering Comments (*All storm drainage must tie to City storm drainage system or release agreement required to be concentrated onto adjacent property owner. 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.*)**

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Must comply with all stormwater and flood control ordinances. Any work performed in the right-of-way will require a right-of-way permit.)

The motion carried unanimously.

Case #SUB2007-00272
Joseph White Subdivision

West side of Wellington Street, 345'± North of Mobile Street, extending to the East side of Jessie Street

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 Mr. Turner, with second by Mr. Vallas, to waive Section V.D.2. of the Subdivision Regulations and approve the above referenced subdivision, subject to the following conditions:

- 1) **the depiction of the 25' minimum building setback line along Wellington Street and Jessie Street;**
- 2) **placement of a note on the final plat stating that each lot is limited to one curb cut, with the size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards;**
- 3) **labeling of each lot with its size in square feet, or the provision of a table on the plat depicting the same information;**
- 4) **subject to the Engineering Comments (*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 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 municipal codes and ordinances.**

The motion carried unanimously.

Case #SUB2007-00266

Magnolia Springs Subdivision, Phase One

North side of Silver Pine Road, ½ mile± West of Schillinger Road North

Number of Lots / Acres: 175 Lots / 87.8± Acres

Engineer / Surveyor: Engineering Development Services, L.L.C.

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.

Timothy Hale, 9265 Roberts Lane East, voiced concerns regarding traffic, schools, the environment, water quality, and area growth. He went on to say the concerns were the same as those with the Hopkinton Estates application.

In deliberation, Mr. Watkins expressed his concern regarding the frequent use of the term “innovative subdivision” when in reality many are not, but are simply cases of where a developer utilizes the property’s topography as the basis for the “innovative subdivision” argument in an effort to get as many lots in the subdivision as possible, which was not the intent of the innovative subdivision section in the first place.

Hearing no other opposition or pertinent discussion, a motion was made by Mr. Vallas, with second by Mr. Watkins, recommending the plat be considered under the Innovative Subdivision section of the Subdivision Regulations and to approve the above reference subdivision, subject to the following conditions:

- 1) **dedication of sufficient right-of-way along Silver Pine Road to provide 50’ from centerline for the portion on the Major Street Plan, and 30’ from centerline for the remainder of the future frontage, as shown on the plat submitted;**
- 2) **the placement of a note on the Final Plat stating that A-8, A-9, A-26, B-1, B-20, B-45, B-46, C-41, C-42, C-51, C-52 and C-62 are corner lots, are limited to one curb cut, with the size, design and location to be determined by County Engineering;**
- 3) **submission and approval of individual applications for each phase or unit, to ensure that development occurs in a manner to provide the most points of access in a timely and efficient manner;**
- 4) **submission of a Traffic Impact Study based on the entire composite development with the submission of the next phase application;**
- 5) **all proposed roads be constructed to county standards, and dedicated to Mobile County**
- 6) **all areas not designated as lots should be labeled as common areas (including wetlands and detention areas), and a note placed on the final plat stating that maintenance of all common areas is the responsibility of the property owners (association);**

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- 7) 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;
- 8) placement of a note on the final plat stating that the development will be designed to comply with the stormwater detention and drainage facility requirements of the City of Mobile stormwater and flood control ordinances, and requiring submission of a letter from a licensed engineer certifying that the design complies with the stormwater detention and drainage facility requirements of the City of Mobile stormwater and flood control ordinances prior to the signing of the final plat. Certification is to be submitted to the Planning Section of Urban Development and County Engineering;
- 9) depiction of the 25-foot minimum building setback line on all lots and common areas, on the final plat;
- 10) placement of a note on the final plat stating that the maintenance of all common areas shall be the responsibility of the property owners;
- 11) compliance with the requirements of the 2003 International Fire Code, including Appendices B through D, as adopted by the City of Mobile, particularly as applied to the subdivision layout, design and road construction, to be verified by Mobile Fire-Rescue; and,
- 12) labeling of all lots with size in square feet, or placement of a table on the plat containing the lot size information.

The motion carried unanimously.

NEW SIDEWALK WAIVER APPLICATIONS:

Case #ZON2007-02592

Nazaree Full Gospel Church

Southwest corner of West I-65 Service Road North and First Avenue (unopened public right-of-way).

Request to waive construction of a sidewalk along West I-65 Service Road North.

Council District 1

The Chair stated the above referenced application was recommended for approval.

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. Watkins, to approve the above referenced sidewalk waiver.

The motion carried unanimously.

NEW PLANNED UNIT DEVELOPMENT APPLICATIONS:

Case #ZON2007-02591

Chartersouth, Inc.

1234 and 1248 Hillcrest Road

Northwest corner of Hillcrest Road and Grelot Road

Planned Unit Development Approval to allow shared access between two building sites
Council District 6

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

Justin Smith, Saad & Vallas Realty Group, asked for clarification regarding what changes were required, as reflected in condition number 1.

Mr. Olsen advised those should have been enumerated, but they involved the driveways.

Mr. Smith advised his client was agreeable with those.

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

- 1) **the submission of the revised PUD plan, prior to permitting, illustrating the changes as required by Traffic Engineering;**
- 2) **compliance with the lighting requirements of Sections 64-4.A.2. and 64-6.A.3.c. of the Zoning Ordinance; and,**
- 3) **full compliance with all other municipal codes and ordinances.**

The motion carried unanimously.

NEW PLANNING APPROVAL APPLICATIONS:

Case #ZON2007-02588

James McAleer

3305 Spring Hill Avenue

(East side of Ingate Street, extending from Spring Hill Avenue to Old Carline Street).

Planning Approval to allow heavy warehousing (exceeding 40,000 square feet) in a B-3, Community Business district.

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. Vallas, with second by Mr. Davitt, to approve the above referenced Planning Approval application, subject to the following conditions:

- 1) application for a parking ratio variance, and approval of the request by the Board of Adjustment prior to the issuance of building permits;
- 2) compliance with the tree and landscaping requirements to be coordinated with Urban Forestry;
- 3) relocation of the tree proposed at the corner of Ingate Street and Springhill Avenue to the green space located between the existing and proposed parking areas, so that visibility hazards are reduced;
- 4) revision, at the applicant's discretion, of the existing parking area to shift some parking to an expanded new parking area, and replacement of the shifted existing parking spaces with landscaping and directional arrows to create a one-way circulation in the existing parking area;
- 5) revision of the PUD site plan to show correct totals for parking and tree quantities;
- 6) placement of a note on the site plan stating that the site is limited to a maximum of 64% building site coverage;
- 7) provision of a revised PUD site plan to the Planning Section of Urban Development prior to the signing of the final plat;
- 8) completion of the Subdivision process; and,
- 9) full compliance with all municipal codes and ordinances for new construction.

The motion carried unanimously.

NEW ZONING APPLICATIONS:

Case #ZON2007-02563

Charles C. Weems, Jr.

64 Tacon Street

East side of Tacon Street, 250' ± North of Cameron Street

Rezoning from R-1, Single-Family Residential, to B-1, Buffer Business, to allow a contractor's office

Council District 1

Mr. Weems addressed the Commission on his own behalf saying he had not had any professional assistance with filling out the application, and in as much, it seemed it did not meet the necessary requirements for the staff and the Commission. He asked that the matter be held over so he could get the correct information to the staff.

Mr. Olsen asked Mr. Weems if there was a time deadline regarding his plans for the property in question.

Mr. Weems said no.

Mr. Olsen suggested the matter be heard at the January 17, 2008, meeting, to which Mr. Weems agreed.

Hearing no opposition or further discussion, a motion was made by Mr. Plauche, with second by Dr. Rivizzigno, to hold the matter over until the January 17, 2008, meeting, with revisions due to the Planning Section of Urban Development by no later than December 28, 2007.

The motion carried unanimously.

GROUP APPLICATIONS:

Case #SUB2007-00271 (Subdivision)

Bradley Place Subdivision, Resubdivision of Lots 1, 2, and 3, Resubdivision of Lot 2

105 McHugh Lane

East side of McHugh Lane, 220'± South of Hawthorne Drive, at the East terminus of an unnamed private street

Number of Lots / Acres: 1 Lot / 0.2± Acre

Engineer / Surveyor: M. Don Williams Engineering

Council District 5

(Also see **Case #ZON2007-02589 (Planned Unit Development) Bradley Place Subdivision, Re-subdivision of Lots 1, 2, and 3, Re-subdivision of Lot 2**, 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 Dr. Rivizzigno, to approve the above referenced subdivision, subject to the following condition:

- 1) **submission of a revised copy of the site plan for the PUD file, prior to signing the final plat.**

The motion carried unanimously.

Case #ZON2007-02589 (Planned Unit Development)

Bradley Place Subdivision, Re-ubdivision of Lots 1, 2, and 3, Re-ubdivision of Lot 2

105 McHugh Lane

East side of McHugh Lane, 220'± South of Hawthorne Drive, at the East terminus of an unnamed private street

Planned Unit Development Approval to amend a side yard setback of a previously approved Planned Unit Development

Council District 5

(Also see **Case #SUB2007-00271 (Subdivision) Bradley Place Subdivision, Re-subdivision of Lots 1, 2, and 3, Re-subdivision of Lot 2**, above)

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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. Turner, with second by Dr. Rivizzigno, to approve the above referenced Planned Unit Development, subject to the following conditions:

- 1) **revision of the site plan to illustrate the amendment of the side yard setback for Lot 2; and,**
- 2) **compliance with all municipal codes and ordinances.**

The motion carried unanimously.

Case #ZON2007-02594 (Planned Unit Development)

Bill Fish Subdivision

88 Hillcrest Road

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

Planned Unit Development Approval to allow two 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 Mr. Miller, with second by Dr. Rivizzigno, to hold the above referenced application over until the December 6, 2007, meeting, to allow the application to be reviewed and the following completed and submitted:

- 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) **revision of the site plan to depict any required stormwater detention facilities;**
- 3) **compliance with Engineering comments;**
- 4) **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 permits;**
- 5) **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;**
- 6) **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;**

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- 7) 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;
- 8) provision of a revised Planned Unit Development site plan to the Planning Section of Urban Development prior to the signing of the Final Plat; and,
- 9) full compliance with all municipal codes and ordinances.

The motion carried unanimously.

Case #ZON2007-02593 (Rezoning)

George E. Jensen Contractor (Dulari J. Smith, President)

88 Hillcrest Road

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

Rezoning from R-1, Single-Family Residential, to B-2, Neighborhood Business, to allow retail sales

Council District 7

(Also see **Case #ZON2007-02594 (Planned Unit Development) Bill Fish 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. Miller, with second by Dr. Rivizzigno, to hold the above referenced application over until the December 6, 2007, meeting, to allow the application to be reviewed and the following completed and submitted:

- 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) revision of the site plan to depict any required stormwater detention facilities;
- 3) compliance with Engineering comments;
- 4) 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 permits;
- 5) 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;
- 6) placement of a note on the site plan stating that the parking area will be illuminated in accordance with the requirements

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- of Section 64-6.A.3.c. of the Zoning Ordinance, if the parking area is used at night;
- 7) 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;
 - 8) provision of a revised Planned Unit Development site plan to the Planning Section of Urban Development prior to the signing of the Final Plat; and,
 - 9) full compliance with all municipal codes and ordinances.

The motion carried unanimously.

OTHER BUSINESS:

Hearing no further business, the meeting was adjourned.

APPROVED: April 16, 2009

William G. DeMouy, Jr., Secretary

Terry Plauche, Chairman

jsl