

MOBILE CITY PLANNING COMMISSION MINUTES
MEETING OF AUGUST 8, 2013 - 2:00 P.M.
AUDITORIUM, MOBILE GOVERNMENT PLAZA

Members Present

Terry Plauche, Chairman
William G. DeMouy, Jr.
Victoria L. Rivizzigno, Secretary
Roosevelt Turner
John Vallas
James F. Watkins, III
Tracie Lee-Roberson
John Williams
Carlos Gant

Members Absent

Scott Webster
Don Hembree
Jarrett Wingfield

Urban Development Staff Present

Richard L. Olsen,
Deputy Director of Planning
Bert Hoffman,
Planner II
David Daughenbaugh,
Urban Forestry Coordinator
Jessica Watson,
Secretary II

Others Present

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

Fire-Rescue Department

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

ROLL CALL:

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

APPROVAL OF MINUTES:

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

- July 5, 2012
- August 2, 2012
- September 6, 2012
- October 4, 2012
- November 1, 2012
- December 6, 2012

**August 8, 2013
Planning Commission Meeting**

The motion carried unanimously.

HOLDOVERS:

Case #SUB2013-00043 (Subdivision)

Joe Mason Subdivision

1412 & 1416 Wolf Ridge Road

(East side of Wolf Ridge Road 200'± North of Moffett Road)

Number of Lots / Acres: 1 Lot / 2.2± Acres

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

Council District 1

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

Frank Dagley, 717 Executive Park Drive, stated that he did not realize they had turned in an application. He was under the impression that Derek Peterson was handling the project, so he requested the application be heldover to determine what exactly was going on.

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

The motion carried unanimously.

Case #SUB2013-00045 (Subdivision)

Cosgrove Subdivision

West terminus of Lusann Drive extending to the West terminus of Norden Drive South.

Number of Lots / Acres: 12 Lots / 5.3±

Engineer / Surveyor: Don Williams Engineering

Council District 7

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

Hearing no opposition or discussion the application was withdrawn at the applicant's request.

The motion carried unanimously.

Case #ZON2013-00098 (Planned Unit Development)

Westwood Plaza Subdivision

7765 Airport Boulevard

August 8, 2013

Planning Commission Meeting

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

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

Council District 6

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

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

Phillip Burton, Burton Property Group, spoke on his own behalf. Mr. Burton discussed the tree and landscape issues and noted that even though they would be short of the requirements it would be an improvement. He also noted that they have already committed to tenants.

Mr. Hoffman discussed the shortage in the tree and landscape requirement, but he added that he did agree that even though the applicant would have significant deficiencies in the tree and landscape requirement what was proposed was an improvement. He stated that the Staff had developed possible conditions of approval that would be passed out.

Mr. Williams asked about the improvement to the tree and landscape issue; he stated that he felt like significant improvement to the issue was better than it being left as is.

Mr. Hoffman responded that the applicant has stated that they have existing about 31,000 sq. ft. of landscaping area on the site and reiterated that the proposal will significantly improve the site.

Mr. Turner asked if the applicant could donate to a tree bank.

Mr. Olsen stated that was an option.

Mr. Turner asked Mr. Burton if he would be willing to donate to the tree bank.

Mr. Burton stated that he would be in agreement with that.

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

- 1) Limited to the site plan revised for the August 8, 2013 meeting (including the minor amendment submitted at the meeting), with minor adjustments to accommodate Engineering, Traffic Engineering, Forestry and Fire comments;**
- 2) No increase in building area or change in parking ratios allowed without a new PUD application;**

- 3) *Compliance with Engineering comments (1) Add a note to the PUD drawing stating that any work performed in the existing Airport Blvd or Schillinger Road ROW (right-of-way) such as grading, drainage, driveways, sidewalks, utility connections, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 2) Add a note to the PUD drawing stating that any and all proposed development will need to be in conformance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 3) Add a note to the PUD drawing stating that any proposed dumpster pad(s) must be contained and directed to a surface drain that is connected to the Sanitary Sewer system. The drainage from any dumpster pads cannot discharge to storm sewer. 4) Add a note to the PUD drawing stating that any existing dumpster pad(s) will be required to be contained and directed to a surface drain that is connected to the Sanitary Sewer system at such time that application is made for a Building or Land Disturbance Permit for any work associated with any of the existing structure(s). 5) Add a note to the PUD drawing stating that any work performed within this development must comply with all Engineering Department Policy Letters.);*
- 4) *Compliance with Traffic Engineering comments (Traffic Engineering approval of this site is contingent upon the construction by the developer/owner of all improvements identified in the study. It should be noted that the improvements include the installation of a traffic signal on Schillinger Road at Thomas Road. Installation of this traffic signal is contingent upon the removal of the traffic signal at Schillinger Road/Glider Road. Signalization changes are also included at the intersection of Airport Boulevard/ Alverson Road, as well as off-site improvements in the median and access changes for the Burger King site. The improvements to the site also include physical changes to the driveway nearest Wendy's, to limit the driveway to right-in, right-out only; striping will not be considered a physical improvement. Additional driveways on Airport Boulevard and Schillinger Road must either be modified or closed, as discussed in the study, as well as modifications to the median along Airport Boulevard. Design plans for all improvements within the public right-of-way must be approved by Engineering and Traffic Engineering. Upon completion of the Access Management Study underway for this corridor, additional restrictions may be implemented, including limitations to the proposed driveway between Chick-Fil-A and Krystal. All driveway sizes, locations and designs to be approved by Traffic Engineering and conform to AASHTO standards. This includes, but is not limited to, the physical restrictions of left turns from the northern most driveway on Schillinger Road, and the alignment of the western most driveway on Thomas Road to directly align with the driveway across the street (currently illustrated at an approximate 10' offset).);*

- 5) *Compliance with Urban Forestry comments (Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64). Mobile Tree Commission permit is required before removing any existing trees from the right of way.);*
- 6) *Compliance with Fire comments (All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.);*
- 7) *No reduction in the proposed total and frontage landscape area;*
- 8) *No reduction in the proposed number or overstory/understory mix of total and frontage trees;*
- 9) *Donation of 10 overstory trees to the tree bank, as agreed to by the applicant;*
- 10) *Provision of a revised PUD site plan depicting any changes required by departmental or Planning Commission revisions prior to the signing of the final plat or request for new construction permits; and*
- 11) *Full compliance with all other municipal codes and ordinances*

The motion carried unanimously with Mr. Vallas recusing.

NEW SUBDIVISION APPLICATIONS:

Case #SUB2013-00065

Royal Castle Subdivision

1416 Azalea Road

(West side of Azalea Road, 315'± North of Halls Mill Road).

Number of Lots / Acres: 1 Lot / 2.2± Acres

Engineer / Surveyor: Graywolf Consulting

Council District 4

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

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

- 1) **placement of a note on the final plat stating that the lot is limited to its existing single curb-cut, with any changes to the size, design and location to be approved by Traffic Engineering, and to conform to AASHTO standards;**
- 2) **depiction of the 25-foot minimum building setback line, as required by Section V.D.9. of the Subdivision Regulations;**
- 3) **the labeling of the lot with its size in square feet;**
- 4) **compliance with Engineering comments (The following comments should be addressed prior to review, acceptance and signature by the City Engineer: 1.**

- Provide all of the required information on the Final Plat (i.e. signature blocks, signatures, certification statements, written legal description, required notes, north arrow, vicinity map, bearings and distances on all property lines) including the seal and signature of an Alabama Professional Land Surveyor.*
- 2. Provide a signature block and signature from the Planning Commission, Owner(s) (notarized), and the Traffic Engineering Department.*
 - 3. Provide a signature block for the City Engineer and the County Engineer.*
 - 4. Add a note to the Plat stating that a Land Disturbance Permit will be required for any site improvements on the property. These improvements may require storm water detention. The Permit submittal shall be in accordance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045).*
 - 5. Add a note to the Plat that any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII).*
 - 6. Add a note to the Plat stating that any work performed within this development must comply with all Engineering Department Policy Letters.);*
 - 5) compliance with Traffic Engineering comments (Site is limited to the one existing curb-cut, where any changes to size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);**
 - 6) compliance with Urban Forestry comments (Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64));**
 - 7) compliance with Fire comments (All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.);**
 - 8) approval of all applicable federal, state and local agencies regarding floodplain issues prior to the issuance of any permits or land disturbance activities;**
 - 9) placement of a note on the plat stating that approval of all applicable Federal, state and local agencies is required for endangered, threatened or otherwise protected species, if any, prior to the issuance of any permits or land disturbance activities; and**
 - 10) full compliance with all other municipal codes and ordinances.**

The motion carried unanimously.

Case #SUB2013-00066

Campbell Family Subdivision

South side of Warsaw Avenue, 365'± West of Jessie Street.

Number of Lots / Acres: 1 Lot / 0.4± Acre

Engineer / Surveyor: Smith, Kolb & Associates

Council District 1

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

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

- 1) **Retention of the 25-foot minimum setback line and lot size on the Final Plat;**
- 2) **Retaining of the note on the Final Plat stating that the lot is limited to one curb-cut on Warsaw Avenue, with the size, design and location to be approved by Traffic Engineering and conform to AASHTO standards;**
- 3) **Compliance with Engineering Comments: *(The following comments should be addressed prior to review, acceptance and signature by the City Engineer: 1. Provide all of the required information on the Final Plat (i.e. signatures, required notes, including the seal and signature of an Alabama Professional Land Surveyor. 2. Provide a signature from the Planning Commission, Owner(s) (notarized), and the Traffic Engineering Department. 3. Add a note to the Plat stating that a Land Disturbance Permit will be required for any site improvements on the property. These improvements may require storm water detention. The Permit submittal shall be in accordance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045). 4. Add a note to the Plat that any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 5. Show the existing, interior lot line, and label existing lots 519 and 520. 6. Show and label all of the property corners. 7. Revise the Vicinity Map so that the street names are readable. 8. Add a note to the Plat stating that any work performed within this development must comply with all Engineering Department Policy Letters.)***
- 4) **Compliance with Traffic Engineering Comments: *(Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards)***;
- 5) **Compliance with Urban Forestry Comments: *(Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64))***;
- 6) **Revision of notes on the Final Plat regarding Fire Department compliance;**
- 7) **Retention of notes on the Final Plat regarding endangered and threatened species; and**
- 8) **Full compliance with all other municipal codes and ordinances.**

The motion carried unanimously.

Case #SUB2013-00067

William Pope Subdivision, First Addition to

West side of Baird Coxwell Road, ¼± mile South of McLeod Road.

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

Engineer / Surveyor: Polysurveying Engineering – Land Surveying
County

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

Brett Orrell, Polysurveying, spoke on behalf of the applicant. He stated that the applicant would like to reduce the amount of frontage with the same amount of acreage.

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

- 1) **Retention of 25-foot minimum building setback line and lot size in square feet on the Final Plat;**
- 2) **Correction of the lot size in acres on the Final Plat;**
- 3) **The correct bearings of the northern property line should be illustrated on the Final Plat and in the legal description;**
- 4) **Placement of a note on the Final Plat limiting the site to two curb-cuts along Baird Coxwell Road, with the size, design and location to be approved by Mobile County Engineering and conform to AASHTO standards;**
- 5) **Placement of a note on the Final Plat stating: *(Must comply with the Mobile County Flood Damage Prevention Ordinance. Development shall be designed to comply with the storm water detention and drainage facility requirements of the City of Mobile storm water and flood control ordinances, and requiring submission of certification from a licensed engineer certifying that the design complies with the storm water detention and drainage facility requirements of the City of Mobile storm water and flood control ordinances prior to the issuance of any permits;)***
- 6) **Placement of a note on the Final Plat stating: *(The geographic area defined by the city of Mobile and its planning jurisdiction, including this site, may contain Federally-listed threatened or endangered species as well as protected non-game species. Development of the site must be undertaken 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: *(This site is located in the County, and therefore any lots which are developed commercially and adjoin residentially developed property must provide a buffer, in compliance with Section V.A.8. of the Subdivision Regulations.);* and**

- 8) **Compliance with Fire Comments:** *(All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.)*

The motion carried unanimously.

Case #SUB2013-00063

Wicke's Family Subdivision

8715 Austin Lane

(South side of Austin Lane, 200'± West of Carol Lane).

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

Engineer / Surveyor: Erdman Surveying, Inc.
County

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

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

- 1) **Depiction of the 25-foot minimum building setback line and retention of lot size information on the Final Plat;**
- 2) **Both lots should be appropriately labeled as lots, not parcels;**
- 3) **Placement of a note on the Final Plat limiting both lots to the existing curb-cuts, with any changes to be approved by Mobile County Engineering and conform to AASHTO standards.**
- 4) **Placement of a note on the Final Plat stating:** *(Must comply with the Mobile County Flood Damage Prevention Ordinance. Development shall be designed to comply with the storm water detention and drainage facility requirements of the City of Mobile storm water and flood control ordinances, and requiring submission of certification from a licensed engineer certifying that the design complies with the storm water detention and drainage facility requirements of the City of Mobile storm water and flood control ordinances prior to the issuance of any permits.);*
- 5) **Placement of a note on the Final Plat stating:** *(The geographic area defined by the city of Mobile and its planning jurisdiction, including this site, may contain Federally-listed threatened or endangered species as well as protected non-game species. Development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.);*
- 6) **Placement of a note on the Final Plat stating:** *(This site is located in the County, and therefore any lots which are developed commercially and adjoin residentially developed property must provide a buffer, in compliance with Section V.A.8. of the Subdivision Regulations.); and*

- 7) **Compliance with Fire Comments:** *(All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.)*

The motion carried unanimously.

Case #SUB2013-00064

Whitewater Estates Subdivision

2312 Burgett Road

North side of Burgett Road, 400'± East of River Road.

Number of Lots / Acres: 2 Lots / 2.5± Acres

Engineer / Surveyor: Byrd Surveying, Inc.

Council District 4

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

Paul White, 2310 Burgett Road, spoke on his own behalf. He stated that he does not want the two lots to share a driveway. He stated that Lot 2 has 75 feet on Burgett Road, and stated that there is plenty of room for a driveway.

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

- 1) **Retention of the 25-foot minimum setback line and lot size information on the Final Plat;**
- 2) **Illustration of all easements should be retained on the Final Plat along with a note stating that no permanent structures be constructed in any easement, with the exception of the 50' ingress egress easement which should;**
- 3) **Placement of a note on the Final Plat stating that Lots 1 and 2 be limited to one curb-cut each, with any changes to the size, design or location to be approved by Traffic Engineering and conform with AASHTO standards;**
- 4) **The correct bearings of all lot lines should be revised on the Final Plat and in the legal description;**
- 5) **Compliance with Engineering Comments:** *(The following comments should be addressed prior to review, acceptance and signature by the City Engineer:*
 1. *Provide all of the required information on the Final Plat (i.e. signature blocks, signatures, certification statements, required notes, north arrow, vicinity map, legend, existing ROW width, bearings and distances on all property lines) including the seal and signature of an Alabama Professional Land Surveyor.*
 2. *Provide a signature block and signature from the Planning Commission, Owner(s) (notarized), and the Traffic Engineering Department.*
 3. *Provide a signature block for the City Engineer and the County Engineer.*
 4. *Add a note to the Plat stating that a Land Disturbance Permit will be required for any site improvements on the property. These improvements may*

require storm water detention. The Permit submittal shall be in accordance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045). 5. Add a note to the Plat that any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 6. Show the existing, interior lot lines, and label all of the existing lots and parcels. Existing tax records indicate 3 existing lots encompassed by this proposed subdivision. 7. Revise the Vicinity Map so that the street names are readable. 8. Check the legal description POC. The POC is shown to be at the SE corner of a separate lot that is not part of this subdivision, but is listed as an existing corner of a Lot within the proposed subdivision. 9. Show and label the flood zones and Minimum Finished Floor Elevation (MFFE) for the lots within the AE and/or X-shaded flood zones. 10. Provide the existing ROW width of Burgett Road.);

- 6) **Compliance with Traffic Engineering Comments:** *(Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards);*
- 7) **Compliance with Urban Forestry Comments:** *(Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64));*
- 8) **Compliance with Fire Department Comments:** *(All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile);*
- 9) **Placement of a note on the Final Plat stating:** *(The geographic area defined by the city of Mobile and its planning jurisdiction, including this site, may contain Federally-listed threatened or endangered species as well as protected non-game species. Development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species);*
- 10) **Placement of a note on the Final Plat stating:** *(Due to the site's potential environmental sensitivity, any improvements must comply with local, state and federal laws regarding development within flood zones.); and*
- 11) **Full compliance with all other municipal codes and ordinances.**

The motion carried unanimously.

Case #SUB2013-00070

Lipscomb-Jackson Subdivision

South side of Lloyd Station Road, 250'± East of U.S. Interstate 10.

Number of Lots / Acres: 2 Lots / 3.6± Acres

Engineer / Surveyor: Rowe Surveying & Engineering Co., Inc
Council District 4

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

Bobby McBride, Rowe Surveying, spoke on behalf of the applicant. He stated that the applicant would like to request a holdover.

Hearing no opposition or further discussion, a motion was made by Mr. Plauche, with second by Mr. DeMouy, to hold the matter over to the October 3, 2013 meeting at the applicant's request.

The motion carried unanimously.

Case #SUB2013-00062

Yester Oaks Shopping Center Subdivision

North side of Airport Boulevard, East side of Montlimar Drainage Canal, South side of Eslava Creek, extending the East and West side of Yester Oaks Drive.

Number of Lots / Acres: 4 Lots / 14.7± Acres

Engineer / Surveyor: Polysurveying Engineering – Land Surveying
Council District 5

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

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

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

- 1) **dedication of a 25' radius curve at the Southeast and Southwest corners of Airport Boulevard/Airport Boulevard Service Road and Yester Oaks Drive;**
- 2) **placement of a note on the Final Plat stating that that the site is limited to the existing curb cuts to Airport Boulevard/Airport Boulevard Service Road and Yester Oaks Drive;**
- 3) **placement of a note on the Final Plat stating that any changes to the development pertaining to access be approved by Traffic Engineering and comply with ASSHTO standards;**
- 4) **revision on the Final Plat to indicate the 25' minimum building setback line as measured from the dedicated radius curve at the Southeast and Southwest corners of Airport Boulevard/Airport Boulevard Service Road and Yester Oaks Drive;**
- 5) **retention on the Final Plat indicating the lot sizes in square feet and acres as calculated after any required dedications, or the furnishing of a table on the Final Plat providing the same information;**

- 6) placement of a note on the Final Plat stating that a buffer, in compliance with Section V.A.8. of the Subdivision Regulations must be provided where the site adjoins any residential use;
- 7) placement of a note on the Final Plat stating that development of this site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species;
- 8) subject to the Engineering comments: *[The following comments should be addressed prior to review, acceptance and signature by the City Engineer: 1. Provide all of the required information on the Final Plat (i.e. signatures, required notes) including the seal and signature of an Alabama Professional Land Surveyor; 2. Provide a signature block for Traffic Engineering; 3. Provide a signature from the Planning Commission, Owner(s) (notarized), and the Traffic Engineering Department; 4. Add a note to the Plat stating that a Land Disturbance Permit will be required for any site improvements on the property. These improvements may require storm water detention. The Permit submittal shall be in accordance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045); 5. Add a note to the Plat that any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII); 6. Show the Minimum Finished Floor Elevation (MFFE) for Lots 3 and 4 within the AE and/or X-shaded flood zones; 7. There is an existing legal action by the City (Notice Of Violation - NOV) against Lots 1 and 3. They were required to connect all existing dumpsters to the Sanitary Sewer system. A plan has been submitted and accepted by the City Engineer; however, no construction or further action has been initiated. A Land Disturbance Permit must be submitted; 8. Correct the spelling contained within the Surveyor's Certification; and 9. Add a note to the Plat stating that any work performed within this development must comply with all Engineering Department Policy Letters.];*
- 9) subject to the Traffic Engineering comments: *(Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.);*
- 10) subject to the Fire Department comments: *(All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile); and*
- 11) completion of the Subdivision process prior to any request for permits.

The motion carried unanimously with Mr. Watkins recusing.

NEW PLANNED UNIT DEVELOPMENT APPLICATIONS:

Case #ZON2013-01601

USA Management, LLC

6099 & 6011 Old Shell Road

(South side of Old Shell Road, 215'± West of Center Drive).

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

Council District 6

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

Beverly Terry, Clark, Geer & Latham Engineering, stated that she was in agreement with all of the staff's recommendations except for Condition # 5 and noted that they meet all landscape requirements without the additional landscape aisles.

Mr. Palombo stated that he was just asking for a mirror image of the landscape island on Lot A as Lot B.

Mrs. Terry stated that she was in agreement with that.

The following people spoke in opposition to the matter:

- Graham Forsythe, 6145 Venetian Way South, Mobile;
- Bess Rich, 625 Cumberland Road East, Mobile;
- Darwin Murph, 6110 Fairwoods Court, Mobile;
- Joyce Collier, 6102 Venetian Way South, Mobile;

They made the following points against the application:

- A. spoke about the student housing development called The Edge;
- B. concerned about safety, property values, and traffic;
- C. does not want a parking lot behind Anders Bookstore;
- D. the developer of The Edge does not have enough parking for 500 students;
- E. there was a recent news story about a number of students that have leased apartments from The Edge that now want out of their leases because there are 500 students and 270 parking sites;
- F. owner's of The Edge have stated that they will produce additional parking adjacent to the site by December and it is assumed that this application is the site that are speaking of;
- G. concerned about students walking along Old Shell Road;
- H. read a note written by Bill Guess, the Director of Property and Security at the University of South Alabama;

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- I. this PUD would have a negative impact on adjacent property;
- J. believes the parking problem at The Edge should have been resolved prior to the construction of the building.

Mr. Vallas asked Mr. Forsythe to give him another reason he was against this application other than pedestrian traffic; Universities all over the country encourage pedestrian traffic near the campus, so there has to be another reason.

Mr. Forsythe responded that getting in and out of West Drive is more of a problem now than it ever was. He also stated that the parking lot is off site of The Edge and is against the code.

Mr. Watkins wanted clarification on Mr. Forsythe's comment about offsite parking being against the code.

Mr. Olsen responded that he was not sure what Mr. Forsythe was speaking of. The parking lot as proposed is a commercial parking lot based on the application that is not just for the apartments; it is for any neighboring uses and for the students of the University. Based on the application as submitted there is no code violation.

Mr. Plauche asked if this parking lot was connected to the University of South Alabama in any way.

Mr. Olsen responded that the University was not developing this parking lot.

Mr. Vallas asked if the parking lot would be an open parking lot with no control mechanism restricting access.

Mr. Palombo responded that it is site specific and there are not any traffic control gates along Old Shell Road.

In rebuttal, Mrs. Terry addressed two of the major concerns. She stated that the parking lot is absolutely commercial and there is no vehicular access to West Drive.

Mr. Watkins asked Mrs. Terry how the developer will make money on this site.

Mrs. Terry responded that she is not aware of how they will charge for it.

Hearing no further opposition or discussion, a motion was made by Mr. Williams, with second by Mr. Turner, to deny the above referenced application.

The motion carried 4 to 2.

NEW ZONING APPLICATIONS:

Case #ZON2013-01600

George Carpenter

4680 Airport Boulevard

(North side of Airport Boulevard, 325'± East of General Bullard Avenue).

Rezoning from R-1, Single-Family Residential District, to B-2, Neighborhood Business District, to allow zoning compliance for a commercially developed site.

Council District 6

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

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

- 1) **compliance with Engineering comments (*Any additional development on this parcel will require construction of a sidewalk along the Airport Blvd frontage.*)**;
- 2) **compliance with Traffic Engineering comments (*Any additional development of the site will require modifications to existing two curb cuts to limit site to only one curb cut, given the frontage width along Airport Blvd, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.*)**;
- 3) **compliance with Urban Forestry comments (*Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64).*)**
- 4) **any modifications to the site to fully comply with the requirements of the Zoning Ordinance, or receive appropriate variance approvals if they will not comply; and**
- 5) **full compliance with all other municipal codes and ordinances.**

The motion carried unanimously.

GROUP APPLICATIONS:

Case #SUB2013-00068 (Subdivision)

BDI Rangeline Subdivision

Southeast corner of Rabbit Creek Drive and Rangeline Service Road.

Number of Lots / Acres: 1 Lot / 3.4± Acre

Engineer / Surveyor: Frank A. Dagley

Council District 4

(Also see, **Case #ZON2013-01606 (Planned Unit Development) BDI Rangeline Subdivision** below)

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

Frank Dagley, 717 Executive Park Drive, spoke on behalf of the applicant. He stated that he was in agreement with everything except the PUD Condition # 4; he stated that he felt it was unnecessary that a new PUD application would need to be made to the Planning Commission for the use of a storage unit for a business space.

Mr. Olsen responded that the staff does not agree with that; even though there is a significant amount of room between the building if they delineate parking it is changing circulation and modifying the PUD as approved. He stated that at a minimum the applicant would need an Administrative PUD.

Mr. Dagley stated that an Administrative PUD would be acceptable.

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

- 1) **placement of note on final plat stating that the lot is limited to (1) curb cut to Rabbit Creek Drive with the size, design and location of all curb-cuts to be approved by Traffic Engineering, ALDOT and conform to AASHTO standards;**
- 2) **labeling of the lot size, in square feet and acres, or provision of a table on the Final Plat displaying the information;**
- 3) **correction to the spelling of the street name on the preliminary plat;**
- 4) **compliance with Engineering comments (*The following comments should be addressed prior to review, acceptance and signature by the City Engineer: 1. Provide all of the required information on the Final Plat (i.e. signature blocks, signatures, certification statements, written legal description, required notes, north arrow, vicinity map, legend, existing ROW width, bearings and distances on all property lines) including the seal and signature of an Alabama Professional Land Surveyor. 2. Provide a signature block and signature from the Planning Commission, Owner(s) (notarized), and the Traffic Engineering Department. 3. Provide a signature block for the City Engineer and the County Engineer. 4. Add a note to the Plat stating that a Land Disturbance Permit will be required for any site improvements on the property. These improvements may require storm water detention. The Permit submittal shall*)**

be in accordance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045). 5. Add a note to the Plat that any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII).

- 5) submission of revised PUD site plan prior to the signing of the Final Plat;
- 6) completion of the subdivision process prior to any request for permits.

The motion carried unanimously.

Case #ZON2013-01606 (Planned Unit Development)

BDI Rangeline Subdivision

Southeast corner of Rabbit Creek Drive and Rangeline Service Road.

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

Council District 4

(Also see, Case #SUB2013-00068 (Subdivision) BDI Rangeline Subdivision above)

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

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

- 1) placement of two additional frontage trees located on the western portion of the property along Rangeline Service Road to comply with the tree and landscape requirements of the Zoning Ordinance;
- 2) placement of a note on site plan stating that no structures shall be built within the utility easement;
- 3) placement of a note on site plan to indicate the dumpster will be enclosed on all three sides and the type of enclosure materials;
- 4) placement of a note on site plan indicating that an ADMINISTRATIVE PUD application will be made to Planning Commission for the use of a storage unit for a business space;
- 5) placement of a note on site plan stating accessible parking will be provided as needed;
- 6) placement of a note on the site plan stating any units used for business purposes should be limited to business allowed in a B-5 district;
- 7) provision of a site plan at time of land disturbance depicting compliance with section 65-6.A. of the Zoning Ordinance regarding parking lot lighting and exterior lighting fixtures (not to exceed a 0.2 foot candle);
- 8) provision of a revised PUD site plan prior to the signing of the Final Plat;

- 9) full compliance with all other municipal codes and ordinances.
- 10) revision of the site plan to depict a sidewalk, or submissions of an application for a sidewalk waiver.

The motion carried unanimously.

Case #SUB2013-00032 (Subdivision) (Holdover)

Claremont Hillcrest Subdivision

6354 Sarasota Drive

(Northeast corner of Sarasota Drive and Hillcrest Road).

Number of Lots / Acres: 2 Lots / 0.3± Acres

Engineer / Surveyor: Polysurveying Engineering – Land Surveying
Council District 6

(Also see, Case #ZON2013-01590 (Planned Unit Development) Wayne Wolf below)

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

Hearing no opposition or discussion, a motion was made by Mr. DeMouy, with second by Dr. Rivizzigno, to waive Sections V.D.2, V.D.5, and V.D.9 of the Subdivision Regulations and to approve the above referenced matter, 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 Sarasota Drive, with the size, location and design to be approved by Traffic Engineering, and conform to AASHTO standards;
- 2) placement of a note on the Final Plat stating that Lot 1 is denied access to Hillcrest Road;
- 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 development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species;
- 5) subject to the Engineering comments: [There doesn't appear to be adequate room on LOT 1 to provide a standard residential driveway. An existing power pole and concrete S inlet limits the space available to install a driveway along Sarasota Drive. A driveway to Hillcrest Rd is not recommended. If the Planning Commission approves the Subdivision the following comments should be addressed prior to review, acceptance and signature by the City Engineer: 1) Provide all of the required information on the Final Plat (i.e. signature blocks, signatures, certification statements, legal description, required notes). 2) Provide a signature block and signature from the Traffic Engineering Department. 3) Add a note to the Plat stating that storm water detention will be required for any future

- addition(s) and/or land disturbing activity in accordance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045). 4) Add a note to the Plat that any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 5) Provide a separate drawing showing the location of a proposed driveway for LOT 1, including, but not limited to, all overhead and underground utilities. This drawing must be approved by the City Engineer and the Traffic Engineer];
- 6) subject to the Traffic Engineering comments: (Driveway number, size, location and design to be approved by Traffic Engineering, and conform to AASHTO standards. Lot 1 is denied access to Hillcrest Road);
 - 7) subject to the Urban Forestry comments: (Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64);
 - 8) subject to the Fire Department comments: (All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile);
 - 9) submittal of two (2) copies of a revised site plan to the Planning Section of Urban Development prior to signing of the Final Plat; and
 - 10) completion of the Subdivision process prior to any request for permits.

The motion carried unanimously.

Case #ZON2013-01590 (Planned Unit Development)

Wayne Wolf

6354 Sarasota Drive

(Northeast corner of Sarasota Drive and Hillcrest Road).

Planned Unit Development Approval to allow a reduced lot size and reduced setback in a residential subdivision

Council District 6

(Also see, **Case #SUB2013-00032 (Subdivision) (Holdover) Claremont Hillcrest Subdivision** above)

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

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

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- 1) placement of a note on the site plan stating that each lot is limited to one curb cut to Sarasota Drive, with the size, location and design to be approved by Traffic Engineering, and conform to AASHTO standards;
- 2) placement of a note on the site plan stating that Lot 1 is denied access to Hillcrest Road;
- 3) revision of the site plan to illustrate the 8' side and rear setback lines along the North and East sides of Lot 1;
- 4) placement of a note on the site plan stating that Lot 1 is limited to 35% maximum site coverage by all structures;
- 5) submittal of two (2) copies of a revised site plan to the Planning Section of Urban Development prior to signing of the Final Plat; and
- 6) compliance with all other municipal codes and ordinances.

The motion carried unanimously.

Case #SUB2013-00069 (Subdivision)

Twelve Trees Subdivision

2860, 2862 and 2866 Pleasant Valley Road and 850 Magnolia Road.

(North side of Pleasant Valley Road, 250'± West of Magnolia Road and West side of Magnolia Road, 330'± North of Pleasant Valley Road).

Number of Lots / Acres: 2 Lots / 2.5± Acres

Engineer / Surveyor: Frank A. Dagley

Council District 5

(Also see, **Case #SUB2013-01608 (Planned Unit Development) Twelve Trees Subdivision** and **Case #ZON2013-01609 (Rezoning) PV-Magnolia LLC** below)

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

Frank Dagley, 717 Executive Park Drive, spoke on behalf of the applicant. He stated that the main reason for holdover is because the Staff is stating the applicant did not include a parcel, but the applicant does not own the parcel.

Mr. Olsen stated that there was an error in converting and calculating, so the Staff could change the recommendation from holdover to approval using the items as conditions except the one that required inclusion of the other parcel.

Mr. Dagley responded that they were in agreement with that.

The following people spoke in opposition to the matter:

- Martha Polley, 959 Highpoint Drive East, Mobile;
- Ana Chumley, Property Manger of Sky valley Apartments;
- Robert Howell, 860 Magnolia Road, Mobile;
- Jamie Nguyen, 3206 Winfield Dr, Mobile;

They made the following points against the application:

- A. does not want anymore multi-family dwellings backing up to their homes;
- B. there are already vacant apartments in the area and does not see the need for additional apartments;
- C. would like to see the neighborhood improve, and does not feel like this development will be an improvement;
- D. Sky Valley Apartments is struggling in occupancy and feels like this will make it worse;
- E. apartments in the area create too much traffic;
- F. own commercial property on Pleasant Valley;
- G. have invested heavily in homes in the area.

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

- 1) **dedication to provide sufficient right-of-way to provide 50-feet from the centerline of Pleasant Valley Road and Magnolia Road;**
- 2) **the placement of a note on the Final Plat stating that each lot be limited to the one curb cut to Pleasant Valley Road and Magnolia Road to be approved by Traffic Engineering and conform to AASHTO standards;**
- 3) **the subdivision process be completed prior to the issuance of any permits;**
- 4) **retention of the 25-foot minimum building setback line along all road frontages on the Final Plat;**
- 5) **full compliance with Engineering comments: (1. Provide all of the required information on the Final Plat (i.e. signature blocks, signatures, certification statements, written legal description, required notes, north arrow, vicinity map, legend, existing ROW width of Magnolia Road, bearings and bearings on all property lines) including the seal and signature of an Alabama Professional Land Surveyor; 2. Provide a signature block and signature from the Planning Commission, Owner(s) (notarized), and the Traffic Engineering Department; 3. Provide a signature block for the City Engineer and the County Engineer; 4. Add a note to the Plat stating that a Land Disturbance Permit will be required for any site improvements on the property. These improvements may require storm water detention. The Permit submittal shall be in accordance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045); and 5. Add a note to the Plat that any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII);**
- 6) **full compliance with Traffic Engineering comments: (Site shall be limited to one curb-cut to Pleasant Valley Road, with size, location and design to be**

approved by Traffic Engineering and conform to AASHTO standards. Access to Magnolia Road is denied, and any existing curb-cuts on either frontage shall be removed. The dumpster location not identified on site plan. No handicap parking has been identified, and modification to parking as shown may affect parking count.);

- 7) placement of a note on the Final Plat stating that the approval of all applicable federal, state and local agencies is required for endangered or threatened species prior to the issuance of any permits or land disturbance activities, as depicted on the preliminary plat;
- 8) compliance with Fire comments: *(All projects must comply with the requirements of the 2003 International Fire Code, including Appendices B through D, as adopted by the City of Mobile, and the 2003 International Existing Building Code, as appropriate).*

The motion carried unanimously.

Case #SUB2013-01608 (Planned Unit Development)

Twelve Trees Subdivision

2860, 2862 and 2866 Pleasant Valley Road and 850 Magnolia Road.

(North side of Pleasant Valley Road, 250'± West of Magnolia Road and West side of Magnolia Road, 330'± North of Pleasant Valley Road).

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

Council District 5

(Also see, Case #SUB2013-00069 (Subdivision) **Twelve Trees Subdivision** above and Case #ZON2013-01609 (Rezoning) **PV-Magnolia LLC** below)

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

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

- 1) revision of the site plan to show **ALL** improvements on the site, including, but not limited to, dimensions of parking stalls or drive aisles, indicate paving materials, and indicate the location of dumpsters to include the connection to sanitary sewer or a note on the site plan illustrating the garbage will be service by a private service;
- 2) depiction of dumpster locations on the site plans to comply with Section 64-4.D.9 of the Zoning Ordinance or placement of a note on the site plans stating that dumpsters will be completely screened from view and connected to sanitary sewer or placement of a note stating how garbage will be removed;
- 3) compliance with Urban Forestry Comments: *(Property to be developed in compliance with state and local laws that pertain to tree preservation and*

- protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64));*
- 4) **full compliance with Traffic Engineering comments:** *(Site shall be limited to one curb-cut to Pleasant Valley Road, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Access to Magnolia Road is denied, and any existing curb-cuts on either frontage shall be removed. The dumpster location not identified on site plan. No handicap parking has been identified, and modification to parking as shown may affect parking count.);*
 - 5) **compliance with Engineering Comments:** *(1. Add a note to the PUD drawing stating that any work performed in the existing Pleasant Valley Road or Magnolia Road ROW (right-of-way) such as grading, drainage, driveways, sidewalks, utility connections, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII); 2. Add a note to the PUD drawing stating that any and all proposed development will need to be in conformance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control; 3. Add a note to the PUD drawing stating that any proposed dumpster pad(s) must be designed to collect storm water in a separate surface drain that is connected to the Sanitary Sewer system; 4. Add a note to the PUD drawing stating that any work performed within this development must comply with all Engineering Department Policy Letters; 5. Sidewalk along the frontage of Pleasant Valley Road and Magnolia Road is required, unless a waiver is approved; and 6. Remove the existing driveway and repair the ROW along Magnolia Road.);*
 - 6) **placement of a note on the site plan stating that approval of all applicable Federal, state and local agencies for endangered, threatened or otherwise protected species is required prior to the issuance of any permits or land disturbance activities;**
 - 7) **placement of a note on the site plan stating that any changes to the site plan will require new applications for Planning Approval and Planned Unit Development Approval prior to the issuance of any permits;**
 - 8) **the submission to the Planning Section, two copies of the revised site plan, illustrating the conditions of approval; and**
 - 9) **compliance with all other codes and ordinances.**

The motion carried unanimously.

Case #ZON2013-01609 (Rezoning)

PV-Magnolia LLC

2860, 2862 and 2866 Pleasant Valley Road and 850 Magnolia Road.

(North side of Pleasant Valley Road, 250'± West of Magnolia Road and West side of

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Magnolia Road, 330'± North of Pleasant Valley Road).

Rezoning from R-1, Single-Family Residential District, to R-3, Multiple-Family District to allow a proposed apartment complex.

Council District 5

(Also see, **Case #SUB2013-00069 (Subdivision) Twelve Trees Subdivision** and **Case #SUB2013-01608 (Planned Unit Development) Twelve Trees Subdivision** above)

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

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

- 1) **limited to an approved Planned Unit Development application;**
- 2) **completion of the subdivision process; and**
- 3) **compliance with all other codes and ordinances.**

The motion carried unanimously.

Case #SUB2013-00071 (Subdivision)

Grelot Office Park Subdivision

North side of Grelot Road, 475'± East of Somerby Drive

Number of Lots / Acres: 1 Lot / 3.0± Acres

Engineer / Surveyor: McCrory & Williams, Inc.

Council District 6

(Also see, **Case #ZON2013-01613 (Planned Unit Development) Grelot Office Park Subdivision** and **Case #ZON2013-01614 (Rezoning) Stratford, LLC** below)

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

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

Michael Daniels, Stratford LLC, spoke on his own behalf. He requested that rather denying the application it be heldover.

Bess Rich, 625 Cumberland Road East, spoke in opposition to the matter. She stated that a RV & Boat Storage facility is not in character with the area.

Hearing no further opposition or discussion, a motion was made by Mr. Plauche, with second by Dr. Rivizzigno, to hold the matter over until the October 3rd meeting at the applicant's request.

The motion carried unanimously with Mr. Vallas recusing.

Case #ZON2013-01613 (Planned Unit Development)

Grelot Office Park Subdivision

North side of Grelot Road, 475'± East of Somerby Drive.

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

Council District 6

(Also see, Case #SUB2013-00071 (Subdivision) **Grelot Office Park Subdivision** above and Case #ZON2013-01614 (Rezoning) **Stratford, LLC** below)

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

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

Hearing no further opposition or discussion, a motion was made by Mr. Plauche, with second by Dr. Rivizzigno, to hold the matter over until the October 3rd meeting at the applicant's request.

The motion carried unanimously with Mr. Vallas recusing.

Case #ZON2013-01614 (Rezoning)

Stratford, LLC

North side of Grelot Road, 475'± East of Somerby Drive.

Rezoning from LB-2, Limited-Neighborhood Business District, to B-3, Community Business District, to allow a boat and RV storage facility.

Council District 6

(Also see, Case #SUB2013-00071 (Subdivision) **Grelot Office Park Subdivision** and Case #ZON2013-01613 (Planned Unit Development) **Grelot Office Park Subdivision** above)

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

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

Hearing no further opposition or discussion, a motion was made by Mr. Plauche, with second by Dr. Rivizzigno, to hold the matter over until the October 3rd meeting at the applicant's request.

The motion carried unanimously with Mr. Vallas recusing.

Case #SUB2013-00072 (Subdivision)

Cosgrove Subdivision

5467 Norden Drive South

West terminus of Lusann Drive extending to the West terminus of Norden Drive South.

Number of Lots / Acres: 13 Lots / 5.7± Acres

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Engineer / Surveyor: Don Williams Engineering

Council District 7

(Also see, Case # ZON2013-01618 (Planned Unit Development) Cosgrove Subdivision below)

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

Hearing no opposition or discussion, a motion was made by Mr. Turner, with second by Mr. DeMouy, to waive Section V.D.1 of the Subdivision Regulations and to approve the above referenced matter, subject to the following conditions:

- 1) All new road construction must comply with Engineering Department requirements;
- 2) Placement of a note on the final plat stating that each lot and common area is limited to one (1) curb-cut each, with the size, design and location of all curb-cuts to be approved by Traffic Engineering and conform to AASHTO standards;
- 3) Placement of a note on the final plat stating that no structure may be built within any easements;
- 4) Depiction of the 25-foot minimum building setback line from all street frontages and where each lot is a minimum of 60-feet in width, as required by Sections V.D.2. and V.D.9. of the Subdivision Regulations;
- 5) The labeling of each lot with its size in square feet, or placement of a table on the plat with the same information;
- 6) Labeling of all common areas, including detention common areas, and placement of a note on the final plat stating that the maintenance of the common areas is the responsibility of the property owners;
- 7) Provision of sidewalks along all new streets within the development;
- 8) Compliance with Engineering comments (*The following comments should be addressed prior to review, acceptance and signature by the City Engineer: 1) Provide all of the required information on the Final Plat (i.e. signature blocks, signatures, certification statements, legal description, required notes) including the Professional Land Surveyor seal and signature. 2) Provide a signature block and signature from the Planning Commission, Owner(s) (notarized), and the Traffic Engineering Department. 3) Provide a signature block for the City Engineer and the County Engineer. 4) Add a note to the Plat stating that a Land Disturbance Permit will be required for any site improvements on the property. These improvements may require storm water detention. The Permit submittal shall be in accordance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045). 5) Add a note to the Plat that any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and*

must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 6) All roadway, utility, and storm drainage improvements associated with the proposed ROW must be complete, tested, and accepted by the Engineer-of-Record. 7) Add a note to the Plat stating that any work performed within this development must comply with all Engineering Department Policy Letters. 8) The City Engineering Department must provide Final Inspection approval. 9) The City Council must accept the proposed roads and ROW for maintenance acceptance. 10) Any request for the vacation of a portion of any ROW and/or easement must be submitted to the City Clerk and approved by the City Council. 11) Show the Minimum Finished Floor Elevation (MFFE) for all lots within the development. Check with City Engineering Department on historic flooding conditions. 12) Provide a copy of the approved USACOE Section 404 permit for the filling of wetlands. Show all existing and proposed wetland boundaries.)

- 9) **Compliance with Fire comments** (*All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.*);
- 10) **Compliance with Traffic Engineering comments** (*Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.*);
- 11) **Compliance with Forestry comments** (*Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64).*);
- 12) **Approval of all applicable federal, state and local agencies regarding wetlands and floodplain issues prior to the issuance of any permits or land disturbance activities;**
- 13) **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;**
- 14) **Submission of a revised PUD site plan prior to the signing of the final plat; and**
- 15) **Completion of the Subdivision process prior to any request for permits for new home-related land disturbance or construction.**

The motion carried unanimously.

Case # ZON2013-01618 (Planned Unit Development)

Cosgrove Subdivision

5467 Norden Drive South

West terminus of Lusann Drive extending to the West terminus of Norden Drive South.
Planned Unit Development Approval to allow reduced side yard setbacks for a proposed subdivision.

Council District 7

(Also see, Case #SUB2013-00072 (Subdivision) Cosgrove Subdivision above)

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

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

- 1) **Depiction and labeling of the front (25 feet +), side (5 feet) and rear (8 feet) setbacks for all lots, with the exception of Lot 12, which will have a side yard setback on the East boundary of 8 feet, and a side yard setback of 5 feet on the West boundary;**
- 2) **Depiction of the 25-foot minimum building setback line from all street frontages and where each lot is a minimum of 60-feet in width;**
- 3) **Labeling of the maximum site coverage (35%) allowed for all lots;**
- 4) **Labeling of each lot with its size in square feet, or placement of a table on the plat with the same information;**
- 5) **Revision of the site plan to depict and label the provision of a six-foot high wooden privacy fence placed along the rear of Lots 1-9, where they abut the floodway and drainage easement for Twelve Mile Creek, to be constructed as each lot is developed, subject to Engineering approval due to possible drainage issues;**
- 6) **All new road construction must comply with Engineering Department requirements;**
- 7) **Placement of a note on the site plan stating that each lot and common area is limited to one (1) curb-cut each, with the size, design and location of all curb-cuts to be approved by Traffic Engineering and conform to AASHTO standards;**
- 8) **Placement of a note on the site plan stating that no structure may be built within any easements;**
- 9) **Labeling of all common areas, including detention common areas, and placement of a note on the final plat stating that the maintenance of the common areas is the responsibility of the property owners;**
- 10) **Provision of sidewalks along all new streets within the development, or application to the Planning Commission for a sidewalk waiver;**
- 11) **Compliance with Engineering comments (1) *Add a note to the PUD drawing stating that any work performed in the existing Lusann Drive or Norden Drive South ROW (right-of-way) such as grading, drainage, driveways, sidewalks, utility connections, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII).* 2) *Add a note to the PUD drawing stating that any and all proposed development will need to be in conformance with the Storm Water Management and Flood Control***

Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 3) Add a note to the PUD drawing stating that any work performed within this development must comply with all Engineering Department Policy Letters. 4) Sidewalk along the frontage of public ROW is required, unless a waiver is approved.)

- 12) **Compliance with Fire comments** (*All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.*);
- 13) **Compliance with Traffic Engineering comments** (*Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.*);
- 14) **Compliance with Forestry comments** (*Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64).*);
- 15) **Approval of all applicable federal, state and local agencies regarding wetlands and floodplain issues prior to the issuance of any permits or land disturbance activities;**
- 16) **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;**
- 17) **Submission of a revised PUD site plan prior to the signing of the final plat;**
- 18) **Completion of the Subdivision process prior to any request for permits for new home-related land disturbance or construction; and**
- 19) **Compliance with all other municipal codes and ordinances.**

The motion carried unanimously.

Case #ZON2013-01357 (Planned Unit Development) (Holdover)

Macmae Venture LLC & Georgetown Partners

2785 & 2789 Macmae Drive

(South terminus of Macmae Drive).

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

Council District 3

(Also see, **Case #ZON2013-01602 (Planning Approval) Macmae Venture LLC & Georgetown Partners** below)

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

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

conditions:

- 1) revision of the site plan to indicate a dumpster, in compliance with Section 64-4.D.9. of the Zoning Ordinance, or the placement of a note on the site plan stating that a dumpster will not be utilized and refuse collection will be curb-side or via private collection;
- 2) placement of a note on the site plan stating that access to Belvedere Circle East is denied;
- 3) placement of a note on the site plan stating that the site is limited to the existing curb cut to MacMae Drive;
- 4) placement of a note on the site plan stating that additional lighting for the expansion shall be in compliance with Sections 64-6.A.3.c. and 64-6.A.8. of the Zoning Ordinance;
- 5) subject to the Engineering comments: [1) Add a note to the PUD drawing stating that any work performed in the existing MacMae Drive ROW (right-of-way) such as grading, drainage, driveways, sidewalks, utility connections, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 2) Add a note to the PUD drawing stating that any and all proposed development will need to be in conformance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 3) Add a note to the PUD drawing stating that any work performed within this development must comply with all Engineering Department Policy Letters. 4) Sidewalk along the frontage of public ROW is required, unless a waiver is approved];
- 6) subject to the Traffic Engineering comments: (Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards);
- 7) subject to the Urban Forestry comments: (Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64).
- 8) subject to the Fire Department comments: (All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile);
- 9) provision of two (2) revised site plans (one for Planning Approval, one for PUD Approval) to the Planning Section of Urban Development reflecting conditions of approval prior to the request of building or site development permits; and
- 10) full compliance with all other municipal codes and ordinances.

The motion carried unanimously.

Case #ZON2013-01602 (Planning Approval)
Macmae Venture LLC & Georgetown Partners
2785 & 2789 Macmae Drive

(South terminus of Macmae Drive).

Planning Approval to amend a previously approved Planning Approval to allow light warehousing in excess of 40,000 square feet in a B-3, Community Business District.

Council District 3

(Also see, **Case #ZON2013-01357 (Planned Unit Development) (Holdover) Macmae Venture LLC & Georgetown Partners** above)

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

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

- 1) **revision of the site plan to indicate a dumpster, in compliance with Section 64-4.D.9. of the Zoning Ordinance, or the placement of a note on the site plan stating that a dumpster will not be utilized and refuse collection will be curb-side or via private collection;**
- 2) **placement of a note on the site plan stating that access to Belvedere Circle East is denied;**
- 3) **placement of a note on the site plan stating that the site is limited to the existing curb cut to MacMae Drive;**
- 4) **placement of a note on the site plan stating that additional lighting for the expansion shall be in compliance with Sections 64-6.A.3.c. and 64-6.A.8. of the Zoning Ordinance;**
- 5) **subject to the Engineering comments: [1) Add a note to the PUD drawing stating that any work performed in the existing MacMae Drive ROW (right-of-way) such as grading, drainage, driveways, sidewalks, utility connections, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 2) Add a note to the PUD drawing stating that any and all proposed development will need to be in conformance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 3) Add a note to the PUD drawing stating that any work performed within this development must comply with all Engineering Department Policy Letters. 4) Sidewalk along the frontage of public ROW is required,**

- unless a waiver is approved];
- 6) subject to the Traffic Engineering comments: (Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards);
 - 7) subject to the Urban Forestry comments: (Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64).
 - 8) subject to the Fire Department comments: (All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile);
 - 9) provision of two (2) revised site plans (one for Planning Approval, one for PUD Approval) to the Planning Section of Urban Development reflecting conditions of approval prior to the request of building or site development permits; and
 - 10) full compliance with all other municipal codes and ordinances.

The motion carried unanimously.

Case #ZON2013-01599 (Planned Unit Development)

American Tank & Vessel, Inc.

900 Paper Mill Road

North side of Paper Mill Road, 315'± East of Woodland Avenue North and extending East to Chickasabouge Creek.

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

Council District 2

(Also see, Case # ZON2013-01597 (Planning Approval) **American Tank & Vessel, Inc.** below)

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

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. Williams, to hold the matter over until the September 5th meeting, with required information submitted by August 16th, to allow the applicant to address the following items:

- 1) illustration 25 foot minimum building front setback line;
- 2) illustration of required parking for the 3,000 square foot administrative building;
- 3) illustration of site circulation and access for the northern portion of the site for the future truck rack and clarification of future truck rack;
- 4) illustration of proposed berm containment;
- 5) illustration and location of 250 square foot dock master building;

- 6) illustration and note of the proposed fence height and material;
- 7) illustration or note of total site coverage;
- 8) illustration of tank numbering system for planning/permitting;
- 9) illustration of the phases of construction/development;
- 10) illustration of walkways over tracks;
- 11) placement of note addressing the two unlabeled buildings;
- 12) illustration and/or note of existing docking facility location;
- 13) placement of note of type of tank;
- 14) placement of note of specific products to be stored in proposed and future tanks;
- 15) submission of revised tree/landscape plan in compliance with the Zoning Ordinance requirements or a note of why the applicant cannot meet the requirements;
- 16) removal of the illustration of the existing ATV building on the site plan;
- 17) the location and clarification of a thermal incinerator or equivalent vapor combustion unit on site;
- 18) illustration of sidewalks or the submission of a Sidewalk Waiver application;
- 19) compliance with Engineering comments: *(1. Add a note to the PUD drawing stating that any work performed in the existing public ROW (right-of-way) such as grading, drainage, driveways, sidewalks, utility connections, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 2. Add a note to the PUD drawing stating that any and all proposed development will need to be in conformance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 3. Add a note to the PUD drawing stating that any work performed within this development must comply with all Engineering Department Policy Letters. 4. Sidewalk along the frontage of public ROW is required, unless a waiver is approved.);*
- 20) compliance with Traffic Engineering comments: *Driveway number, size, location, and design to be approved by Traffic Engineering and ALDOT and conform to AASHTO standards.*
- 21) compliance with Urban Forestry comments: *Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64).*
- 22) compliance with Fire Department comments: *(All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.);*
- 23) placement of a note on the site plan stating that approval of all applicable Federal, state and local agencies for endangered, threatened or otherwise protected species is required prior to the issuance of any permits or land

- disturbance activities;**
- 24) placement of a note on the site plan stating that approval of all applicable federal, state and local environmental agencies for wetlands or floodplain issues is required prior to the issuance of any permits or land disturbance activities;**
 - 25) placement of a note on the site plan stating that any changes to the site plan will require new applications for Planning Approval and Planned Unit Development Approval prior to the issuance of any permits.**

The motion carried unanimously.

Case # ZON2013-01597 (Planning Approval)

American Tank & Vessel, Inc.

900 Paper Mill Road

North side of Paper Mill Road, 315'± East of Woodland Avenue North and extending East to Chickasabouge Creek.

Planning Approval to allow a petroleum storage and distribution facility.

Council District 2

(Also see, **Case #ZON2013-01599 (Planned Unit Development) American Tank & Vessel, Inc.** above)

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

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. Williams, to hold the matter over until the September 5th meeting, with required information submitted by August 16th, to allow the applicant to address the following items:

- 1) illustration 25 foot minimum building front setback line;**
- 2) illustration of required parking for the 3,000 square foot administrative building;**
- 3) illustration of site circulation and access for the northern portion of the site for the future truck rack and clarification of future truck rack;**
- 4) illustration of proposed berm containment;**
- 5) illustration and location of 250 square foot dock master building;**
- 6) illustration and note of the proposed fence height and material;**
- 7) illustration or note of total site coverage;**
- 8) illustration of tank numbering system for planning/permitting;**
- 9) illustration of the phases of construction/development;**
- 10) illustration of walkways over tracks;**
- 11) placement of note addressing the two unlabeled buildings;**
- 12) illustration and/or note of existing docking facility location;**
- 13) placement of note of type of tank;**
- 14) placement of note of specific products to be stored in proposed and future**

- tanks;
- 15) submission of revised tree/landscape plan in compliance with the Zoning Ordinance requirements or a note of why the applicant cannot meet the requirements;
 - 16) removal of the illustration of the existing ATV building on the site plan;
 - 17) the location and clarification of a thermal incinerator or equivalent vapor combustion unit on site;
 - 18) illustration of sidewalks or the submission of a Sidewalk Waiver application;
 - 19) compliance with Engineering comments: *(1. Add a note to the PUD drawing stating that any work performed in the existing public ROW (right-of-way) such as grading, drainage, driveways, sidewalks, utility connections, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 2. Add a note to the PUD drawing stating that any and all proposed development will need to be in conformance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 3. Add a note to the PUD drawing stating that any work performed within this development must comply with all Engineering Department Policy Letters. 4. Sidewalk along the frontage of public ROW is required, unless a waiver is approved.);*
 - 20) compliance with Traffic Engineering comments: *Driveway number, size, location, and design to be approved by Traffic Engineering and ALDOT and conform to AASHTO standards.*
 - 21) compliance with Urban Forestry comments: *Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64).*
 - 22) compliance with Fire Department comments: *(All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.);*
 - 23) placement of a note on the site plan stating that approval of all applicable Federal, state and local agencies for endangered, threatened or otherwise protected species is required prior to the issuance of any permits or land disturbance activities;
 - 24) placement of a note on the site plan stating that approval of all applicable federal, state and local environmental agencies for wetlands or floodplain issues is required prior to the issuance of any permits or land disturbance activities;
 - 25) placement of a note on the site plan stating that any changes to the site plan will require new applications for Planning Approval and Planned Unit Development Approval prior to the issuance of any permits.

The motion carried unanimously.

Case #ZON2013-01605 (Planned Unit Development)

Port City Church of Christ

2901 Hillcrest Road

East side of Hillcrest Road, 125'± South of Medearis Court).

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

Council District 6

(Also see, **Case #ZON2013-01604 (Planning Approval) Port City Church of Christ** below)

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

Frank Dagley, 717 Executive Park Drive, spoke on behalf of the applicant. He stated that they would request that this application not be heldover because he did not feel as if the items left off would have any impact.

Mr. Olsen responded that he understood Mr. Dagley's point that the proposed additions are not impacted by the items that were left off the plan that was submitted. However, the Staff is supposed to have an accurate plan submitted with applications. He added that if the Commission would like to approve it, the Staff can try to determine conditions of approval but they do not have any prepared.

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 September 5th meeting, with required information submitted by August 16th, to allow the applicant to address the following items:

- 1) **provision of a revised site plan to Urban Development, Planning Section, accurately depicting the "as-built" condition of any stormwater detention facilities, dumpster facilities, all existing live oak trees, existing playground, existing buildings, the parking area, any other existing or required site improvements, and the proposed 1,248 foot foyer and 4,518 foot fellowship hall;**
- 2) **provision of a revised narrative to explain the nature of school services provided: daycare, sunday school, etc.;**
- 3) **revisions to the tree and landscaping data depicted on the site plan to reflect current and accurate calculations;**
- 4) **placement of a note on the site plan to indicate the access to and entry points for the proposed foyer;**
- 5) **placement of a note on the site plan stating that the lot is limited to the existing curb-cuts, with no breach of the existing median on Hillcrest Road;**

- 6) **full compliance with Engineering comments:** *(1. Add a note to the PUD drawing stating that any work performed in the existing Hillcrest Road ROW (right-of-way) such as grading, drainage, driveways, sidewalks, utility connections, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 2. Add a note to the PUD drawing stating that any and all proposed development will need to be in conformance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 3. Add a note to the PUD drawing stating that any work performed within this development must comply with all Engineering Department Policy Letters.);*
- 7) **placement of a note on the final site plan** stating that *“preservation status is to be given to the 48” Live Oak Tree located on the South side of Lot and the 50” Live Oak Tree located in the South East corner of Lot. Any work on or under these trees is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger.”;*
- 8) **full compliance with all other applicable municipal codes and ordinances.**

The motion carried unanimously.

Case #ZON2013-01604 (Planning Approval)

Port City Church of Christ

2901 Hillcrest Road

(East side of Hillcrest Road, 125'± South of Medearis Court).

Planning Approval to amend a previously approved Planning Approval to allow a building expansion at an existing church in an R-1, Single-Family Residential District.

Council District 6

(Also see, **Case #ZON2013-01605 (Planned Unit Development) Port City Church of Christ** above)

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

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 September 5th meeting, with required information submitted by August 16th, to allow the applicant to address the following items:

- 1) **provision of a revised site plan to Urban Development, Planning Section, accurately depicting the “as-built” condition of any stormwater detention facilities, dumpster facilities, all existing live oak trees, existing playground, existing buildings, the parking area, any other existing or**

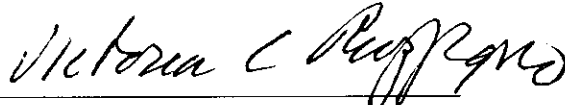
- required site improvements, and the proposed 1,248 foot foyer and 4,518 foot fellowship hall;
- 2) provision of a revised narrative to explain the nature of school services provided: daycare, sunday school, etc.;
 - 3) revisions to the tree and landscaping data depicted on the site plan to reflect current and accurate calculations;
 - 4) placement of a note on the site plan to indicate the access to and entry points for the proposed foyer;
 - 5) placement of a note on the site plan stating that the lot is limited to the existing curb-cuts, with no breach of the existing median on Hillcrest Road;
 - 6) full compliance with Engineering comments: *(1. Add a note to the PUD drawing stating that any work performed in the existing Hillcrest Road ROW (right-of-way) such as grading, drainage, driveways, sidewalks, utility connections, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 2. Add a note to the PUD drawing stating that any and all proposed development will need to be in conformance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 3. Add a note to the PUD drawing stating that any work performed within this development must comply with all Engineering Department Policy Letters.)*;
 - 7) placement of a note on the final site plan stating that “*preservation status is to be given to the 48” Live Oak Tree located on the South side of Lot and the 50” Live Oak Tree located in the South East corner of Lot. Any work on or under these trees is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger.*”;
 - 8) full compliance with all other applicable municipal codes and ordinances.

The motion carried unanimously.

OTHER BUSINESS:

Hearing no further business, the meeting was adjourned.

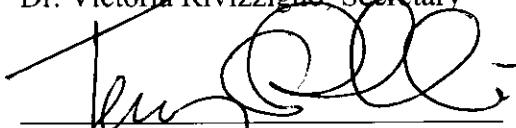
APPROVED: December 19, 2013


Victoria C. Ruffalo

August 8, 2013

Planning Commission Meeting

Dr. Victoria Rivizzigno, Secretary



Terry Plauche, Chairman

/jpw