

MOBILE CITY PLANNING COMMISSION MINUTES
MEETING OF December 19, 2013 - 2:00 P.M.
AUDITORIUM, MOBILE GOVERNMENT PLAZA

Members Present

Terry Plauche, Chairman
Victoria L. Rivizzigno, Secretary
Roosevelt Turner
John Vallas
Scott Webster
Don Hembree
John Williams
Tracie Lee-Roberson
Carlos Gant
James F. Watkins, III

Members Absent

William G. DeMouy, Jr.
Jarrett Wingfield

Urban Development Staff Present

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

Others Present

Doug Anderson,
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. Turner, to approve the minutes from the following, regularly held, Planning Commission meetings:

- August 8, 2013

The motion carried unanimously.

HOLDOVERS:

Case #SUB2013-00121 (Subdivision)

Alba Place Subdivision

2529 River Forest Road

(South side of River Forest Road, 450'± West of Alba Club Road).

Number of Lots / Acres: 3 Lots / 1.1± Acre

Engineer / Surveyor: Richard L. Patrick, PLS

Council District 3

(Also see, **Case #ZON2013-02603 (Planned Unit Development) Alba Place Subdivision** below)

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

Rick Twilley, spoke on his own behalf. He stated that he has changed from 3 lots to 2 lots, having submitted a revised site plan to staff on December 18th and he would like to avoid having the 7 ½ foot dedicated easement. He also noted that his intent was to never to change the street or the fencing.

The following people spoke in opposition to the matter:

- Bill Hogan, 2117 West Hillwood Dr;
- Barbara Hogan, 2117 West Hillwood Dr;
- Jim Patterson;
- Earnest Lightborn;

They made the following points against the application:

- A. question what Mr. Twilley intentions were for a foundation for the proposed houses;
- B. concerned over water runoff;
- C. Alba Club is unwilling to give to give up any additional land to accommodate any housing units;
- D. concerned about potentially over loading on utilities;

In rebuttal, Mr. Twilley stated that has you can see the Alba Club does not want any changes surrounding their property. He noted that the house will be built up and there will not be any runoff going to Mrs. Hogan's property. As far as utilities, they will be underground.

Hearing no further opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. Vallas to hold the matter over until the January 2, 2014 meeting to allow staff time to review the revised plat received on December 18th, and develop conditions.

The motion carried unanimously.

Case #ZON2013-02603 (Planned Unit Development)

Alba Place Subdivision

2529 River Forest Road

(South side of River Forest Road, 450'± West of Alba Club Road).

Planned Unit Development Approval to allow reduced front-yard setbacks

Council District 3

(Also see, Case #SUB2013-00121 (Subdivision) Alba Place Subdivision above)

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

Hearing no further opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. Vallas to hold the matter over until the January 2, 2014 meeting to allow staff time to review the revised plat received on December 18th, and develop conditions.

The motion carried unanimously.

Case #SUB2013-00139

Regency Motors Subdivision

513 & 519 Schillinger Road North

(West side of Schillinger Road North, 3/10± mile South of Zeigler Boulevard).

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

Engineer / Surveyor: Gulf State Engineering

Council District 7

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 Dr. Rivizzigno to approve the above referenced matter, subject to the following conditions:

- 1) **retention of the 25' minimum building setback line;**
- 2) **retention of the lot size in square feet and acres;**
- 3) **acknowledgement in writing by the current owner of Lots 1 and 2 of Schil-Comm Park Subdivision that those lots are limited to one shared curb cut prior to the signing of the Final Plat;**
- 4) **compliance with Engineering comments (*The following comments should be addressed prior to acceptance and signature by the City Engineer: a. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. b. Add a note that sidewalk is required to be constructed along the frontage of each lot, or parcel, at time of development, unless a sidewalk waiver is approved.*);**

- 5) **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.*);
- 6) **compliance with Traffic Engineering comments** (*Lot 1 is limited to one curb-cut with, 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) **placement of a note on the Final Plat stating that approval of all applicable Federal, state and local agencies is required for wetland issues, if any, prior to the issuance of any permits or land disturbance activities; and**
- 9) **placement of a note on the Final Plat stating that approval of all applicable Federal, state and local agencies is required for endangered, threatened or otherwise protected species, if any, prior to the issuance of any permits or land disturbance activities.**

The motion carried unanimously.

Case #SUB2013-00135

Rangeline Business Park Subdivision, Unit Two, Resubdivision of Lots 13, 14, & 15

North side of Abigail Drive, 1000' East of Rangeline Service Road

Number of Lots / Acres: 2 Lots / 3.2± 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.

Jerry Byrd, Byrd Surveying, stated that the applicant is requesting that the application be held over for one month.

Hearing no opposition or further discussion, a motion was made by Mr. Plauche, with second by Dr. Rivizzigno to hold the matter over until the January 16, 2014 meeting, at the applicant's request.

The motion carried unanimously.

Case #SUB2013-00136

Island Farms Hollingers Island Subdivision, Resubdivision of Lot 31, Block 6

6970 Bay Road

(West side of Bay Road, 840'± South of Island Road).

Number of Lots / Acres: 2 Lots / 5.0± Acres

Engineer / Surveyor: Byrd 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. Turner to waive Section V.D.1 and V.D.3 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 Bay Road, with the size, location and design to be approved by County Engineering and conform to AASHTO standards;**
- 2) **placement of a note on the Final Plat stating that Lot A is denied access to Island Court;**
- 3) **illustration of the 25' minimum building setback line along Bay Road;**
- 4) **revision of the plat to label each lot with its size in square feet and acres, or the furnishing of a table on the Final Plat providing the same information;**
- 5) **placement of a note on the Final Plat stating that no further resubdivision of Lot A will be allowed until additional public street frontage is provided;**
- 6) **placement of a note on the Final Plat stating that the site must 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. Certification is to be submitted to the Planning Section of Urban Development and County Engineering;**
- 7) **placement of a note on the Final Plat stating that the approval of all applicable federal, state and local agencies would be required prior to the issuance of any permits or land disturbance activities;**
- 8) **placement of a note on the Final Plat stating that approval of all applicable federal, state and local agencies is required for endangered, threatened, or otherwise protected species, if any, prior to the issuance of any permits or land disturbance activities;**
- 9) **placement of a note on the Final Plat stating that any lots which are developed commercially and adjoin residentially developed property must provide a buffer, in compliance with Section V.A.8. of the Subdivision Regulations; and**
- 10) **compliance with the Fire Department comments: *(All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.)***

The motion carried unanimously.

Case #SUB2013-00140
Labrador Run Subdivision, Phase Three A

December 19, 2013
Planning Commission Meeting

East side of Rex Drive, 90'± North of its South terminus, extending to the South side of Labrador Run Phase I

Number of Lots / Acres: 31 Lots / 15.1± Acres

Engineer / Surveyor: Austin Engineering Company, Inc.
County

The Chair announced the application 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 Dr. Rivizzigno to hold the matter over until the January 16, 2014 meeting with revisions due by January 9, 2014 to address the following:

- 1) Submission of an overall site layout for the entire remaining area of the proposed Labrador Run Subdivision.**

The motion carried unanimously.

NEW SIDEWALK WAIVER APPLICATIONS:

Case #ZON2013-02814

Daniel Clark

7205 Bellingrath Road

(East side of Bellingrath Road at the West terminus of Will Casher Lane).
Request to waive construction of a sidewalk along Bellingrath Road.
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.

Daniel Clark, Smith, Kolb & Associates, spoke on behalf of the owner. He stated that most of the site is a deep ditch that leaves no room for a sidewalk.

Mr. Vallas questioned if the sidewalk would be east of the ditch.

Mr. Olsen responded that the Engineering comments state that it appears that there is room for the sidewalk to be constructed either in the right-of-way or on the private property. There are sidewalks within the city where the sidewalk has been constructed on private property.

Mr. Williams asked if there were any connecting sidewalks.

Mr. Olsen responded that there are not in the immediate area; but it is the link in the chain.

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Hearing no opposition or further discussion, a motion was made by Mr. Watkins, with second by Mr. Vallas to hold the matter over until the January 16, 2014 meeting, to give staff time to provide information to the Planning Commission regarding the sidewalk and dedication requirements for the property to the North of the site in question.

The motion carried unanimously.

NEW PLANNING APPROVAL APPLICATIONS:

Case #ZON2013-02826

Will Dumas

10 St Emanuel Street

(West side of St Emanuel Street, 148± South of Dauphin Street).

Planning approval to allow single family residential use on the ground floor within the Dauphin Street Overlay District.

Council District 2

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

- 1) **Compliance with Traffic Engineering Comments:** *(On-site parking is planned for this site. Driveway size, location, and design to be approved by Engineering and Traffic Engineering and conform to AASHTO standards. A right-of-way permit will be required for work in the City right-of-way.);*
- 2) **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).);*
- 3) **Compliance with Fire Comments:** *(All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.);* and
- 4) **Full compliance with all municipal codes and ordinances to include Engineering and Fire codes, and the Mobile Historic Development Commission requirements.**

The motion carried unanimously.

NEW ZONING APPLICATIONS:

Case #ZON2013-02815

Altapointe Health Systems, Inc.

6827 Howells Ferry Road

(South side of Howells Ferry Road, 35'± East of Rachel Drive).

Rezoning from R-1, Single-Family Residential District, to R-3, Multiple-Family District, to allow the use of a group home.

Council District 7

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

- 1) all parking spaces shall be a minimum of 9' x 18' including accessible parking spaces;
- 2) compliance with Traffic Engineering comments: "Driveway number, 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) compliance with Fire comments: "All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile." ; and
- 5) full compliance will all other municipal and state codes.

The motion carried unanimously.

GROUP APPLICATIONS:

Case #ZON2013-02454 (Planned Unit Development)

Audubon Properties, LLC.

4700 & 4960 Dauphin Island Parkway

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

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

Council District 3

(Also see, Case #ZON2013-02452 (Sidewalk Waiver) Audubon Properties, LLC. and Case #SUB2013-00137 Dockside Marina Subdivision below)

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

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.

Rick Twilley, Twilley Builders, spoke on his own behalf. He stated that he was not aware of the tree ordinance because the property is located in a coastal area and the normal tree ordinance would not hold into affect. He noted that he substituted palm trees and heavy landscaping.

As revised information had been submitted prior to the meeting, staff had conditions for approval prepared.

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

- 1) retention of accessible parking spaces as depicted on site plan;
- 2) relocation of the existing gate to provide a 60' queuing distance from the right-of-way line;
- 3) retention of right-of-way width of Dauphin Island Parkway on site plan;
- 4) retention of 24' wide driveway as depicted on site plan;
- 5) retention of all other existing notes on any revised plans;
- 6) placement of a note on the site plan stating that approval of all applicable Federal, state and local agencies is required for endangered, threatened or otherwise protected species;
- 7) placement of a note on the site plan stating that approval of all applicable Federal, state and local agencies is required for wetland and floodplain issues, if any, prior to the issuance of any permits or land disturbance activities;
- 8) retention of the note on the site plan to indicate the dumpster will be connected to sanitary sewer;
- 9) full compliance with tree and landscape requirements for developed land areas;
- 10) compliance with Engineering comments: "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). 2. A complete set of construction plans for any proposed site work – including, but not limited to, drainage, utilities, grading, storm water detention systems, paving, and all above ground structures, will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. 3.

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. Include storm water quality measures in the site design. 4. According to the FEMA flood map information, this property is located within a Special Flood Hazard Area. You will need to show and label the flood hazard area(s) on your plat and plans. Also, you will need to list the Minimum Finished Floor Elevation (MFFE) for each Lot. 5. Add a note to the PUD Plan stating that the approval of all applicable federal, state, and local agencies (including all stormwater runoff, wetland and floodplain requirements) would be required prior to the issuance of a permit for any land disturbance activity.”;

- 11) compliance with Traffic Engineering comments: “Driveway has been noted to be upgraded as approved by Traffic Engineering and ALDOT. Gate is noted to be relocated to provide adequate queuing from right-of-way. Handicap parking spaces, as required, must be of appropriate surface material to provide accessibility to the site amenities.”;
- 12) 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).”;
- 13) 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.”;
- 14) add a note to the PUD site plan stating that the approval of all applicable federal, state, and local agencies (including all stormwater runoff, wetland and floodplain requirements) would be required prior to the issuance of a permit for any land disturbance activity; and
- 15) full compliance with all other municipal codes and ordinances.

The motion carried unanimously with Mr. Vallas recusing.

Case #ZON2013-02452 (Sidewalk Waiver)

Audubon Properties, LLC.

4700 & 4960 Dauphin Island Parkway

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

Request to waive construction of a sidewalk along Dauphin Island Parkway.

Council District 3

(Also see, Case #ZON2013-02454 (Planned Unit Development) **Audubon**

Properties, LLC. above and Case #SUB2013-00137 **Dockside Marina Subdivision** below)

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

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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.

As revised information had been submitted prior to the meeting, staff had conditions for approval prepared.

Hearing no opposition or further discussion, a motion was made by Ms. Roberson, with second by Dr. Rivizzigno to approve the request to waive construction of a sidewalk along Dauphin Island Parkway.

The motion carried unanimously with Mr. Vallas recusing.

Case #SUB2013-00137

Dockside Marina Subdivision

4700 & 4960 Dauphin Island Parkway

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

Number of Lots / Acres: 1 Lot / 11.01± Acres

Engineer / Surveyor: Richard L. Patrick, PLS

Council District 3

(Also see, **Case #ZON2013-02454 (Planned Unit Development) Audubon Properties, LLC.** and **Case #ZON2013-02452 (Sidewalk Waiver) Audubon Properties, LLC.** above)

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

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.

As revised information had been submitted prior to the meeting, staff had conditions for approval prepared.

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

- 1) **retention of 25' minimum building setback line on Final Plat.**
- 2) **labeling of the lot size in square feet and acres on the Final Plat, or a table furnished on the Final Plat providing the same information.**
- 3) **placement of a note on the Final Plat stating that the site is limited to one curb-cut onto Dauphin Island Parkway with size, design, and location to be approved by Traffic Engineering and conform to AASHTO standards.**
- 4) **placement of a note on the site plan stating that approval of all applicable Federal, state and local agencies is required for endangered, threatened or otherwise protected species;**
- 5) **placement of a note on the site plan stating that approval of all applicable**

Federal, state and local agencies is required for wetland and floodplain issues, if any, prior to the issuance of any permits or land disturbance activities;

- 6) compliance with Engineering comments: “The following comments should be addressed prior to acceptance and signature by the City Engineer: 1. Label the POC and show the tie lines to the POB. 2. Label the POB. 3. Revise either the last bearing listed in the written legal description or the bearing label along the front property line. 4. Provide witness monuments as required. 5. Provide the Surveyor’s, Owner’s (notarized), Planning Commission, and Traffic Engineering signatures. 6. Add a note that sidewalk is required to be constructed along the frontage, at time of development, unless a sidewalk waiver is approved.”;
- 7) compliance with Traffic Engineering comments: “Driveway number, size, location and design to be approved by ALDOT and Traffic Engineering, and conform to AASHTO standards. Previous comments cover remarks regarding PUD application.”;
- 8) 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).”; and
- 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.”

The motion carried unanimously with Mr. Vallas recusing.

Case #SUB2013-00138 (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 / 5.6± Acres

Engineer / Surveyor: Don Williams Engineering

Council District 7

(Also see, **Case #ZON2013-02813 (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 Dr. Rivizzigno, with second by Ms. Roberson 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 with road frontage 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) illustration of where the sanitary sewer easement on the Southwestern portion of the development will be relocated;
 - 5) 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;
 - 6) labeling each lot with its size in square feet, or placement of a table with the same information;
 - 7) 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;
 - 8) provision of sidewalks along all new streets within the development;
 - 9) compliance with Engineering comments (*The following comments should be addressed prior to review, acceptance and signature by the City Engineer:* a. *Provide all of the required information on the Plat (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances, and vicinity map).* b. *Add a note to the Plat stating that any proposed development will need to be in accordance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045), latest edition. Storm water detention will be required for any future addition(s) and/or land disturbing activity.* c. *A Land Disturbance Permit will be required for the roadway improvements to the proposed ROW. These improvements will require storm water detention in accordance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045).* d. *Any work performed in the existing Norden Dr. S. or Lusann Dr. ROW, 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).* e. *Add a note to the Plat stating that the approval of all applicable federal, state, and local agencies (including all stormwater runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit.* f. *Provide a written legal description for the proposed subdivision and matching bearing and distance labels.* g. *Show and label each and every existing and proposed Right-Of-Way and easement.* h. *Provide and label the monument set or found at each subdivision corner.* i. *Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, City Engineer, and County Engineer.* j. *Provide the Surveyor's Certificate and Signature.* k. *Provide the Surveyor's,*

Owner's (notarized), Planning Commission, and Traffic Engineering signatures. l. Add a note that sidewalk is required to be constructed along the frontage of each lot, or parcel, at time of development, unless a sidewalk waiver is approved. m. Add a note to the Plat stating that any work performed within this development must comply with all Engineering Department Policy Letters. n. All roadway, utility, and storm drainage improvements associated with the proposed ROW must be complete, tested, and accepted by the Engineer-of-Record. o. The City Engineering Department must provide Final Inspection approval for all improvements; and the Mobile City Council must accept the proposed roads and ROW for maintenance. p. Provide utility easement as required for the existing sanitary sewer line located along the rear of Lots 1-9. q. Complete the ROW vacation process for Norden Dr. S. r. Provide adequate drainage easements for the existing drainage along Norden Dr. S. and Lusann Dr. s. Show the Minimum Finished Floor Elevation (MFFE) for all lots within the development. Check with City Engineering Department on historic flooding conditions. t. Provide a copy of the approved USACOE Section 404 permit for the filling of wetlands. Show all existing and proposed wetland boundaries. u. Provide a copy of the proposed subdivision restrictive covenants including the common area maintenance.);

- 10) **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.);**
- 11) **compliance with Traffic Engineering comments (Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.);**
- 12) **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).);**
- 13) **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;**
- 14) **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;**
- 15) **submission of a revised PUD site plan prior to the signing of the Final Plat;**
- 16) **finalization of the vacation process prior to the signing of the Final Plat; and**
- 17) **completion of the Subdivision process prior to any request for permits for new home-related land disturbance or construction.**

The motion carried unanimously.

Case #ZON2013-02813 (Planned Unit Development)

Cosgrove Subdivision

5467 Norden Drive South

December 19, 2013

Planning Commission Meeting

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

Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow reduced side yard setbacks in a proposed subdivision.

Council District 7

(Also see, **Case #SUB2013-00138 (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 Dr. Rivizzigno, with second by Ms. Roberson 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 1 which will have a side yard setback on the South boundary of 8 feet, and Lot 13, which will have a side yard setback on the East boundary of 8 feet;**
- 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 2-9, 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 site plan 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 (a. 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). b. Any and all Any and all proposed land disturbing activity 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.);

- 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.

OTHER BUSINESS:

Mr. Olsen advised the Commission of an error in recommended conditions for SUB2013-00069 and asked for approval to send a correction letter. The correction letter will change dedication from 50' from centerline to 25' from centerline, and correct Traffic Engineering condition denying access to Magnolia Road to correspond with earlier condition limiting to one curb-cut.


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

Mr. Olsen then advised the Commission that the business meeting would be held on January 9, 2014 to discuss Form Based Code.


Hearing no further business, the meeting was adjourned.

December 19, 2013
Planning Commission Meeting

APPROVED: March 6, 2014



Dr. Victoria Rivizzigno, Secretary



Terry Plauche, Chairman

/jpw