

MOBILE CITY PLANNING COMMISSION MINUTES
MEETING OF OCTOBER 3, 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
Tracie Lee-Roberson
Scott Webster
Don Hembree
Jarrett Wingfield

Members Absent

John Williams
James F. Watkins, III
Carlos Gant

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:

- January 3, 2013
- February 7, 2013
- March 7, 2013
- April 4, 2013
- May 2, 2013
- June 6, 2013

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The Chair announced the application had been withdrawn by the applicant.

Case #SUB2013-00070 (Subdivision)

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 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. DeMouy 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) **The lot size information in square feet and acres should be depicted on the Final Plat;**
- 2) **The 25' minimum setback line should be revised for Lot 1 and depicted where the "Flag" meets the "Pole" on the Final Plat;**
- 3) **The Point of Beginning location should be revised on the Final Plat;**
- 4) **The Final Plat should be revised to depict a 50' private right-of-way in lieu of the 50' easement and a note stating that no permanent structures be constructed in any easement or private right-of-way;**
- 5) **Placement of a note on the Final Plat stating: (The construction of new streets must comply with Section VIII.E of the Subdivision Regulations and be approved by Engineering)**
- 6) **Placement of a note on the Final Plat stating: (Lots 1 and 2 are limited to one curb-cut each, with the size, design or location to be approved by Traffic Engineering and comply with AASHTO standards);**
- 7) **Placement of a note on the Final Plat stating: (Development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species);**

- 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. 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 and Label the POC and/or POB. Correct the written legal description as necessary.
 6. The NWI overlay on GIS indicates that a potential for wetlands exist on this property. Show and label the existing wetlands, or provide written confirmation that no wetlands exist within the 2 proposed lots.);
- 9) **Compliance with Traffic Engineering Comments:** (Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards);
- 10) **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));
- 11) **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);
- 12) **Placement of a note on the Final Plat stating:** (Development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species);
- 13) **Placement of a note on the Final Plat stating:** (Any development of the site must comply with local, state and federal regulations regarding floodplains and wetlands);
- 14) **Placement of a note on the Final Plat stating:** (The future subdivision of either lot is prohibited until additional frontage on a public or private street is provided); and
- 15) **Full compliance with all other municipal 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)

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. DeMouy to hold the matter over until the December 5, 2013 meeting.

The motion carried unanimously.

**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)

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. DeMouy to hold the matter over until the December 5, 2013 meeting.

The motion carried unanimously.

**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)

October 3, 2013

Planning Commission Meeting

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. DeMouy to hold the matter over until the December 5, 2013 meeting.

The motion carried unanimously.

Case #SUB2013-00050 (Subdivision)

Harris Place Subdivision, Resubdivision of Lot 1

1000 Farnell Lane

(West side of Farnell Lane at the East terminus of Brossett Street).

Number of Lots / Acres: 2 Lots / 0.9± Acre

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

Council District 4

(Also see, **Case #ZON2013-01824 (Planned Unit Development) Harris Place Subdivision, Resubdivision of Lot 1** 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.

Don Rowe, Rowe Surveying, requested that the applications be held over again.

Hearing no opposition or further discussion, a motion was made by Mr. Plauche, with second by Mr. DeMouy to hold the matter over until the November 7, 2013 meeting.

The motion carried unanimously.

Case #ZON2013-01824 (Planned Unit Development)

Harris Place Subdivision, Resubdivision of Lot 1

1000 Farnell Lane

(West side of Farnell Lane at the East terminus of Brossett Street).

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

Council District 4

(Also see, **Case #SUB2013-00050 (Subdivision) Harris Place Subdivision, Resubdivision of Lot 1** 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. Plauche, with second by Mr. DeMouy to hold the matter over until the November 7, 2013 meeting.

The motion carried unanimously.

Case #SUB2013-00081 (Subdivision)

Dauphin-65 Subdivision, Resubdivision of Lots 2 & 3

3290 Dauphin Street

(Northeast corner of Dauphin Street and East I-65 Service Road North).

Number of Lots / Acres: 1 Lot / 3.3± Acres

Engineer / Surveyor: The Coleman Engineering Group of McCrory Williams
Council District 1

(Also see, **Case #ZON2013-01822 (Planned Unit Development) Dauphin-65 Subdivision, Resubdivision of Lots 2 & 3** 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. DeMouy to hold the matter over until the November 7, 2013 meeting, with revisions due by October 14, 2013 to address the following:

- 1) retention of the lot sizes in square feet and acres;
- 2) revision of the plat to illustrate Interstate 65 with the minimum existing right-of-way, and if less than 300', with any dedications necessary;
- 3) retention of the note stating that no structures will be allowed in any easement;
- 4) retention of the note stating that the development is limited to the existing curb cuts;
- 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 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 Final Plat (i.e. signatures, required notes) b. Provide a signature from the Planning Commission, Owner(s) (notarized), Surveyor and the Traffic Engineering Department. c. 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). d. 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). 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) would be required prior to the issuance of a permit for any land disturbance activity.
- 7) retention of the 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 #ZON2013-01822 (Planned Unit Development)
Dauphin-65 Subdivision, Resubdivision of Lots 2 & 3**

3290 Dauphin Street

(Northeast corner of Dauphin Street and East I-65 Service Road North).

Planned Unit Development Approval to allow multiple buildings on a single building site with shared drives, access and parking

Council District 1

(Also see, **Case #SUB2013-00081 (Subdivision) Dauphin-65 Subdivision, Resubdivision of Lots 2 & 3** above)

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. DeMouy to hold the matter over until the November 7, 2013 meeting, with revisions due by October 14, 2013 to address the following:

- 1) revision of the site plan to provide the total gross square feet of both structures;
- 2) revision of the site plan to illustrate dumpster screening compliant with Section 64-4.D.9. of the Zoning Ordinance; and
- 3) revision of the site plan to illustrate compliance with tree and landscaping requirements, including information about landscape area and number and species of trees.

The motion carried unanimously.

EXTENSIONS:

Case #SUB2012-00071

Oakstone Subdivision

Southeast corner of Lancaster Road and Laurendine Road

Number of Lots / Acres: 11 Lots / 32.7± Acres

Engineer / Surveyor: Austin Engineering Co. Inc.

**October 3, 2013
Planning Commission Meeting**

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. Vallas, with second by Ms. Roberson to approve the request for a one-year extension.

The motion carried unanimously.

Case #SUB2012-00089

Boykin Plantation Subdivision

Northeast corner of Carol Plantation Road and Old Spanish Trail, extending to the South side of Boykin Park

Number of Lots / Acres: 151 Lots / 119.0± Acres

Engineer / Surveyor: Polysurveying Engineering – Land Surveying
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. Vallas, with second by Ms. Roberson to approve the request for a one-year extension.

The motion carried unanimously.

Case #SUB2012-00085 (Subdivision)

Taylor Place Subdivision, Re-subdivision of Lot 4

4 Taylor Place

(Northwest corner of Old Shell Road and Oakland Avenue, extending to the East terminus of Taylor Place)

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

Engineer / Surveyor: Rester and Coleman Engineers
Council District 7

(Also see, **Case #ZON2012-02094 (Planned Unit Development) Taylor Place Subdivision, Re-subdivision of Lot 4** 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. Vallas, with second by Ms. Roberson to approve a six-month extension, with the new Engineering comments as an added condition:

- 1) **subject to the additional 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 Final Plat (i.e. signature blocks, signatures, certification statements, legal description, required notes). b.) Provide a signature block and signature from the Planning Commission, Owner(s) (notarized), and the Traffic Engineering Department. c.) Provide a signature block for the City Engineer and the County Engineer. d.) 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). e.) 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). f.) submit a copy of the recording information for the vacated drainage easement.]*

The motion carried unanimously.

**Case #ZON2012-02094 (Planned Unit Development)
Taylor Place Subdivision, Re-subdivision of Lot 4**

4 Taylor Place

(Northwest corner of Old Shell Road and Oakland Avenue, extending to the East terminus of Taylor Place)

Planned Unit Development Approval to amend a previously approved Planned Unit Development to reduce the minimum building setback line and a drainage easement.

Council District 7

(Also see, Case #SUB2012-00085 (Subdivision) Taylor Place Subdivision, Re-subdivision of Lot 4 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. Vallas, with second by Ms. Roberson to approve a six-month extension.

The motion carried unanimously.

NEW SUBDIVISION APPLICATIONS:

Case #SUB2013-00087

Fitzpatrick Subdivision

4465 Halls Mill Road

(South side of Halls Mill Road, 225'± East of Laughlin Drive).

Number of Lots / Acres: 1 Lot / 0.8± Acre

Engineer / Surveyor: Rowe Surveying & Engineering Co., Inc.
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 Ms. Roberson, with second by Mr. Webster to waive Section V.D.3 of the Subdivision Regulations and to approve the above referenced matter, subject to the following conditions:

- 1) **Completion of Vacation process prior to Recording of Final Plat;**
- 2) **Dedication, if necessary, after Vacation of service road right-of-way to provide 35' from the centerline of Halls Mill Rd;**
- 3) **Retention of the 25-foot minimum setback line and lot size information on the Final Plat;**
- 4) **Illustration of all easements on the Final Plat along with a note stating that no permanent structures can be constructed in any easement;**
- 5) **Placement of a note on the Final Plat stating that Lot 1 is limited to the existing curb-cut with any changes to the size, design or location to be approved by Traffic Engineering and conform with AASHTO standards;**
- 6) **Placement of a note on the Final Plat stating: *(Development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species);***
- 7) **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 Final Plat (i.e. signatures, required notes). b. Provide a signature from the Planning Commission, Owner(s) (notarized), Surveyor, and the Traffic Engineering Department. c. Provide legible street names in the vicinity map. d. 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). e. 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). f. 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) would be required prior to the issuance of a permit for any land disturbance activity.);

- 8) **Compliance with Traffic Engineering Comments:** *(Any additional development of the site will require modifications to existing curb cut to meet city standards, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards);*
- 9) **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*
- 10) **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)*

The motion carried unanimously.

Case #SUB2013-00094

Dean McCrary Subdivision

1757 East I-65 Service Road South

(Northeast corner of East I-65 Service Road South and I-65 Commerce Drive).

Number of Lots / Acres: 1 Lot / 4.9± Acres

Engineer / Surveyor: Don Williams Engineering
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 Ms. Roberson, with second by Mr. Webster to approve the above referenced matter, subject to the following conditions:

- 1) **Revision of the Final Plat to label the minimum existing right-of-way width of Interstate 65 adjacent to the site, with dedication if the existing width is not adequate;**
- 2) **Depiction of the 25-foot minimum setback line and lot size information on the Final Plat;**
- 3) **Compliance with Section IV.C.2. of the Subdivision Regulations;**
- 4) **Placement of a note on the Final Plat stating that the proposed lot should be limited to the existing curb-cut along East I-65 Service Road South with any changes to the size, design or location to be approved by ALDOT and Traffic Engineering and conform with AASHTO standards;**
- 5) **Placement of a note on the Final Plat stating:** *(Development of the site must*

- be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species);*
- 6) **Compliance with Engineering Comments:** *(The following comments should be addressed prior to 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, vicinity map, legend, scale, bearings and distances). b. Add a note to the Plat stating that storm water detention will be required for any existing development (since 1984) that did not receive Land Disturbance permitting and 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). c. Add a signature block and signature for the Owner (notarized), Surveyor, Planning Commission and Traffic Engineer. d. Revision of the plat to label each lot with its size in acres and square feet, or the furnishing of a table on the Plat providing the same information. e. Provide a written legal description for the proposed subdivision and matching bearing and distance labels. f. Show and label each and every Right-Of-Way and easement. g. Provide and label the monument set or found at each subdivision corner. h. Provide the Surveyor's Certificate. i. 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) would be required prior to the issuance of a permit for any land disturbance activity. j. 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).);*
 - 7) **Compliance with Traffic Engineering Comments:** *(I-65 East Service Road is an ALDOT roadway. Driveway number, size, location and design to be approved by ALDOT (Service Road only) and Traffic Engineering and conform to AASHTO standards. The developer and ALDOT will enter/have entered into an agreement regarding the temporary use of the existing driveways. Exact number of curb-cuts will be determined when the long range plan for the property has been developed.);*
 - 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));*
 - 9) **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); and*
 - 10) **Completion of the Subdivision process prior to any final inspections of the site**

The motion carried unanimously.

Case #SUB2013-00097

Three Dean Way Subdivision

8535 Three Dean Way

(West side of Air Terminal Drive at the East terminus of Three Dean Way).

Number of Lots / Acres: 1 Lot / 0.8± Acre

Engineer / Surveyor: The Coleman Engineering Group of McCrory & Williams, 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 Ms. Roberson, with second by Mr. Webster to approve the above referenced matter, subject to the following conditions:

- 1) **Dedication, if necessary, to provide 50-feet from centerline for Air Terminal Drive where it abuts Lot 1, labeling of the minimum right-of-way width of Air Terminal Drive abutting Lot 1;**
- 2) **Placement of a note on the 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. New public roads shall be constructed and paved to standards for County Maintenance, and accepted by Mobile County, while new private roads shall be constructed and paved to minimum County or Subdivision Regulation standards, whichever are greater.*”;**
- 3) **Construction of the street to Mobile County standards and acceptance of the street by Mobile County prior to the recording of the final plat;**
- 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.*);**
- 5) **Placement of a note on the final plat stating that Lot 1 is limited to one curb-cut to Three Dean Way and denied access to Air Terminal Drive, with the size, design and location of any curb-cut to be approved by Mobile County Engineering and to comply with AASHTO standards;**
- 6) **Depiction and labeling of the 25-foot minimum building setback line on Lot 1;**
- 7) **Retention of the common area maintenance note;**
- 8) **Placement of a note on the plat stating that no permanent structures shall be placed in any easements;**
- 9) **Placement of a note on the 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;
- 10) Placement of a note on the plat stating that any lots which are developed commercially and adjoin residentially developed property must provide a buffer, in compliance with Section V.A.8. of the Subdivision Regulation; and
 - 11) Retention of the lot size information on the final plat.

The motion carried unanimously.

Case #SUB2013-00105

Kroners Business Park Subdivision

West side of McDonald Road, 270'± South of Three Notch Road.

Number of Lots / Acres: 1 Lot / 2.3± Acres

Engineer / Surveyor: Polysurveying Engineering – Land Surveying
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. Vallas, with second by Ms. Roberson to approve the above referenced matter, subject to the following conditions:

- 1) Dedication sufficient to provide 50' from the centerline of McDonald Road, a proposed major street;
- 2) Revision of the 25-foot minimum building setback line and lot size information on the Final Plat to reflect dedication;
- 3) Placement of a note on the Final Plat limiting the proposed lot to two curbs with the size, design and location to be approved by Mobile County Engineering and conform to AASHTO standards;
- 4) Placement of a note on the Final Plat stating: *(Development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.);*
- 5) 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.);*
- 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.);* and
- 7) Compliance with Engineering Comments: *(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.)

The motion carried unanimously.

Case #SUB2013-00086

Heritage Auto Subdivision

2700 Newman Road

(West side of Newman Road, 90'± South of Yancey Glen Drive).

Number of Lots / Acres: 2 Lots / 15.7± Acres

Engineer / Surveyor: Lawler and Company
County

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.

Will Lawler, Lawler & Company, spoke on behalf of the applicant. He stated that he felt as if it was recommended for denial due to the lot being a flag-shaped lot; and brought hand-outs to justify the flag-lot. It is a family property that was divided for a family business in 1998. Mr. Lawler mentioned again that there are other flag-shaped lots in the area.

Mr. Olsen informed the Commission that conditions had been prepared if the Commission was leaning towards approving the application.

Hearing no opposition or further discussion, a motion was made by Ms. Roberson, with second by Mr. DeMouy 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 no future subdivision of Lot 2 will be allowed until additional frontage on a paved public street is provided;**
- 2) **Revision of the 25' minimum setback line for Lot 2 to be depicted as a box where the "Flag" meets the "Pole" of the lot and retained elsewhere on the Final Plat;**
- 3) **Placement of a note on the Final Plat limiting Lot 1 to one curb-cut and Lot 2 to the existing curb-cut with the size, design and location of the new curb-cut along with any changes to the existing curb-cuts to be approved by Mobile County Engineering and conform to AASHTO standards;**
- 4) **Depiction of a buffer on Lot 2 where it abuts residentially developed property;**
- 5) **Compliance with Engineering Comments and 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) **Compliance with Fire Comments and placement of a note on the Final Plat stating:** *(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) **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.);*
- 8) **Placement of a note on the Final Plat stating:** *(Any development of the site must comply with local, state and federal regulations regarding wetlands.);*
and
- 9) **Placement of a note on the Final Plat stating:** *(Development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.)*

The motion carried unanimously.

Case #SUB2013-00090

Vick Estate Subdivision

2715 Shelton Beach Road Extension

(Southwest corner of Shelton Beach Road Extension, and Moberg Lane).

Number of Lots / Acres: 2 Lots / 2.6± Acres

Engineer / Surveyor: Byrd Surveying, 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.

Jerry Byrd, Byrd Surveying, spoke on behalf of the applicant. He stated that he agreed with most of the conditions. Mr. Byrd agreed that the second lot did look like a flag-lot but it has 80 foot of road frontage that a house could be built in.

Mr. Olsen informed the Commission that the Staff did have conditions prepared for approval.

Mr. Byrd stated that he was in agreement with the conditions.

Hearing no opposition or further discussion, a motion was made by Ms. Roberson, with second by Mr. Vallas 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) revision of the plat to indicate the centerline and current right-of-way width of Shelton Beach Road with dedication if necessary to provide 25-feet from centerline;
- 2) placement of a note on the Final Plat stating that each lot is limited one curb-cut onto Shelton Beach Road, with the size, design, and location be approved by Traffic Engineering and conform to AASHTO standards;
- 3) illustration of the 25' minimum building setback line as measured from the right-of-way edge on Final Plat;
- 4) 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;
- 5) placement of a note on the Final Plat stating that that no further resubdivision of Lot 2 is allowed until additional frontage on a public street is provided;
- 6) 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;
- 7) compliance with Engineering comments: *“The following comments should be addressed prior to acceptance and signature by the City Engineer: a. Provide all of the required information on the Plat (i.e. signature blocks, signatures, certification statements, required notes, legend). b. 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).c. Add a signature block and signature for the Owner (notarized), Surveyor, Planning Commission and Traffic Engineer. c. Show and label the existing Right-Of-Way width. d. Provide and label the monument set or found at each subdivision corner. e. Provide the Surveyor’s Certificate. f. 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) would be required prior to the issuance of a permit for any land disturbance activity. g. 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).”*;
- 8) compliance with Traffic Engineering comments: *“Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.”*;
- 9) compliance with Urban Forestry: *“Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57*

- and 64)”* ;
- 10) **placement of a note on the 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.**

The motion carried unanimously.

Case #SUB2013-00092
Creepline Subdivision, Tenth Addition, Resubdivision of Lot 1, Resubdivision of and Addition to Lot 8

4450 Cypress Business Park Drive

(Northeast corner of Cypress Business Park Drive and Crown Drive).

Number of Lots / Acres: 2 Lots / 9.1± Acres

Engineer / Surveyor: Speaks & Associates Consulting Engineers, Inc.
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. DeMouy to approve the above referenced matter, subject to the following conditions:

- 1) **labeling of each lot with its size in acres and square feet, or the furnishing of a table on the final plat providing the same information;**
- 2) **illustration of the 25' minimum building setback line should be retained on Final Plat;**
- 3) **placement of a note on the final plat stating that approval of all applicable Federal, state and local agencies is required for flood zone and wetland issues prior to the issuance of any permits or land disturbance activities;**
- 4) **placement of a note on the plat stating that approval of all applicable Federal, state and local agencies is required for endangered, threatened or otherwise protected species, if any, prior to the issuance of any permits or land disturbance activities;**
- 5) **compliance with Engineering comments: *“The following comments should be addressed prior to acceptance and signature by the City Engineer: a. Provide all of the required information on the Plat (i.e. signature blocks, signatures, certification statements, required notes, legend). b. 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). c. Provide a signature from the Planning Commission, Owner(s) (notarized) and Surveyor. d. Add a signature block and signature for the Traffic Engineer. e. Provide and label the monument set or***

found at each subdivision corner. f. 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) would be required prior to the issuance of a permit for any land disturbance activity. g. 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). h. Show the Minimum Finished Floor Elevation (MFFE) for Lot 2 that is located within the AE and X-shaded flood zones. i. Provide a drainage easement for the existing drainage ditch. Size and location to be approved by the City Engineer.”

- 6) subject to Traffic Engineering comments: *“Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.”*
- 7) subject to 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
- 8) subject to 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 #SUB2013-00096

Venetia Station Subdivision

2417, 2419 and 2421 Venetia Drive

(South side of Venetia Road, 358.2± East of Venice Court).

Number of Lots / Acres: 2 Lots / 4.6± Acres

Engineer / Surveyor: The Coleman Engineering Group of McCrory & Williams, Inc.
Council District 4

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 Mr. Vallas to hold the matter over until the November 7, 2013 meeting, with revisions due by October 14, 2013 to address the following:

- 1) **revise site plan to depict property lines without going through structures;**
- 2) **revise site plan to depict 25' minimum building setback line;**
- 3) **provide nonconforming documentation to show multiple single family dwelling units existed prior to 1967 or submit a application to rezone**

- property to R-2;
- 4) **submit application for PUD;**
- 5) **include adjacent property to East in the PUD and Subdivision applications due to building encroachment across property lines and shared access;**
- 6) **submission of additional labels and fees due to expanded sub site; and**
- 7) **revisions to the site plan to reflect all current and existing structures;**

The motion carried unanimously.

Case #SUB2013-00099

Rangeline Crossing Subdivision

5100 Rangeline Service Road North

(Northeast corner of Rangeline Service Road North and Halls Mill Road).

Number of Lots / Acres: 2 Lots / 82.7± Acres

Engineer / Surveyor: Asarisi & Associates

Council District 4

Mr. Vallas 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. Turner, with second by Ms. Roberson to waive Section V.B.6. of the Subdivision Regulations and to approve the above referenced matter, subject to the following conditions:

- 1) **dedication of sufficient right-of-way to provide 35' from the centerline of Halls Mill Road along Lot 1 where no previous dedication was recorded;**
- 2) **revision of the plat to either indicate a current compliant right-of-way width of 300' along Rangeline Road, or dedication sufficient to provide 150' from the centerline of Rangeline Road;**
- 3) **revision of the plat to either indicate a current compliant 60' minimum right-of-way along Demetropolis Road or dedication to provide 30' from the centerline of the right-of-way, not the centerline of the asphalt;**
- 4) **placement of a note on the Final Plat stating that each lot is allowed two curb cuts per street frontage, including the internal street, with the size, location, and design of all curb cuts to be approved by Traffic Engineering and ALDOT (if applicable) and conform to AASHTO standards;**
- 5) **revision of the plat to provide a cul-de-sac with a minimum 60' radius in compliance with Section V.B.14. of the Subdivision Regulations, if no center median is proposed, instead of the hammerhead turn-around on the internal street;**
- 6) **illustration of the 25' minimum building setback line along all street frontages as measured from any required right-of-way dedication;**
- 7) **labeling of each lot with its square feet and acres, after any required right-**

- of-way dedication, or the furnishing of a table on the Final Plat providing the same information;
- 8) placement of a note on the Final Plat stating that the maintenance of the common area is the responsibility of the property owners;
 - 9) illustration of the existing recorded easement in the Southeast corner of the property, extending along its East side, or vacation of this easement, or portions thereof, prior to signing the Final Plat;
 - 10) 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;
 - 11) subject to the Engineering comments: *[The following comments should be addressed prior to acceptance and signature by the City Engineer: a.) Provide all of the required information on the Plat (i.e. signature blocks, signatures, certification statements, required notes, legend). b.) Add a note to the Plat stating that storm water detention will be required for any existing development (since 1984) that did not receive Land Disturbance permitting and 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). c.) Add a signature block and signature for the Owner (notarized), Planning Commission, and Traffic Engineer. d.) Provide a signature block for the City Engineer and County Engineer. e.) Provide and label the monument set or found at each subdivision corner. f.) 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) would be required prior to the issuance of a permit for any land disturbance activity. g.) 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). h.) Add a note to the Plat stating that any work performed within this development must comply with all Engineering Department Policy Letters.];*
 - 12) subject to the Traffic Engineering comments: *[Driveway number, size, location and design to be approved by ALDOT (where applicable) and Traffic Engineering, and conform to AASHTO standards. The typical section of the proposed roadway, as well as intersection geometrics at any intersecting street, must be approved by Engineering and Traffic Engineering, and conform to all applicable standards. A traffic impact study was completed for the overall site. The land use and layout were general, and the proposed roadways through the site included geometry that is not presently intended. A thorough review of the study was not conducted. Any future subdivision of either lot will require an updated traffic impact study, properly identifying any on- or off-site improvements that will be required to be constructed by the owner/developer.];*

- 13) 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). Preservation status granted for all 50" and larger trees. All work under the canopies is to be permitted and coordinated with Urban Forestry, removal to be permitted by Urban Forestry only in the case of disease or impending danger. Exact curb cut locations and location of the proposed street and internal circulation drive should also be coordinated with Urban Forestry to ensure that no trees 50" and larger are effected.]; and*
- 14) 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.)*

The motion carried unanimously with Mr. Vallas recusing.

Case #SUB2013-00091
Fowl River Preserve Subdivision

5150 Fowl River Road

(North side of Fowl River Road, 4/10± mile East of Bellingrath Road).

Number of Lots / Acres: 3 Lots / 9.7± Acres

Engineer / Surveyor: Paul D. Stewart, PLS
County

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.

Paul Stewart, Stewart Surveying, spoke on behalf of the applicant. He requested a waiver of V.D.3 and V.D1. He stated that there are at least a dozen other flag-lots within a quarter mile.

Mr. Vallas asked if there were any conditions prepared for approval.

Mr. Olsen stated that there were.

Mr. Stewart stated that he was in agreement with those conditions.

Hearing no opposition or further discussion, a motion was made by Mr. Vallas, with second by Mr. Turner to waive Section V.D.1. and V.D3. 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, with the size, design and location to be approved by Mobile County Engineering Department;**
- 2) **note on final plat labeling of the 25-foot minimum building setback line;**
- 3) **labeling of the lots in square feet and acres;**

- 4) **compliance with Engineering comments:** *(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) **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);*
- 6) **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, prior to the issuance of any permits or land disturbance activities;**
- 7) **placement of a note on the final plat stating that approval of all applicable Federal, state and local agencies is required for wetland and flood zone issues, prior to the issuance of any permits or land disturbance activities;**
- 8) **placement of a note on the Final Plat stating that any lots which are developed commercially and adjoin residentially developed property must provide a buffer, in compliance with Section V.A.8. of the Subdivision Regulations; and**
- 9) **placement of a note on the Final Plat stating that development will be designed to comply with the stormwater detention and drainage facilities of the City of Mobile stormwater and flood control ordinances, and requiring submission of certification from a licensed engineer certifying that the design complies with the stormwater detention and drainage facilities of the City of Mobile stormwater and flood control ordinances prior to the issuance of any permits. Certification to be submitted to the Planning Section of Urban Development and County Engineering.**

The motion carried unanimously.

Case #SUB2013-00095

Ole Fowl River Subdivision

10685 Salt Aire Road East

Area bounded by Salt Aire Road, Salt Aire Road East, Mobile Bay, and Riverview Nursery Road.

Number of Lots / Acres: 4 Lots / 211.6± Acres

Engineer / Surveyor: Rowe Surveying & Engineering Co., 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 Ms. Roberson to hold the matter over until the October 17th meeting at applicant's request.

The motion carried unanimously.

Case #SUB2013-00104

Leighton Place Subdivision, Phase Two

East terminus of Leighton Place Drive.

Number of Lots / Acres: 15 Lots / 12.5± Acres

Engineer / Surveyor: Richard L. Patrick, PLS

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. DeMouy to waive Section V.B.6. of the Subdivision Regulations and to approve the above referenced matter, subject to the following conditions:

- 1) **revision of the plat to reflect compliance with Section V.B.14. of the Subdivision Regulations for a 60' radius cul-de-sac without a central median;**
- 2) **all new road construction must comply with City Engineering Department requirements;**
- 3) **labeling of the lot sizes in square feet for Lots 1 – 14, and in square feet and acres for Lot 15, on the Final Plat, or the furnishing of a table on the Final Plat providing the same information;**
- 4) **revision of the plat to accurately depict the rear width on Lot 7;**
- 5) **retention of the 25' minimum building setback line along all street frontages;**
- 6) **placement of a note on the Final Plat stating that each lot, including the access to the common area (detention pond), is limited to one curb cut with the size, design and location to be approved by Traffic Engineering and conform to AASHTO standards;**
- 7) **retention of the common area (detention pond) label and placement of a note on the Final Plat stating that the maintenance of the common area (detention pond) is the responsibility of the property owners;**
- 8) **placement of a note on the Final Plat stating that no structures may be built within any easement;**
- 9) **provision of sidewalks along all new streets within the development at the time of new home construction;**
- 10) **placement of a note on the Final Plat stating that the approval of all applicable federal, state and local agencies for floodplain and wetland issues will be required prior to the issuance of any permits or land disturbance**

- activities;
- 11) 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;
 - 12) compliance with Engineering comments: *[The following comments should be addressed prior to acceptance and signature by the City Engineer: a.) Provide all of the required information on the Plat (i.e. signature blocks, signatures, certification statements, required notes, legend). b.) 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). c.) Add a signature block and signature for the Owner (notarized), Planning Commission, and Traffic Engineer. d.) Provide a signature block for the City Engineer and County Engineer. e.) Provide and label the monument set or found at each subdivision corner. f.) 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) would be required prior to the issuance of a permit for any land disturbance activity. g.) 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). h.) Add a note to the Plat stating that any work performed within this development must comply with all Engineering Department Policy Letters.];*
 - 13) compliance with Traffic Engineering comments: *[Each lot is limited to one curb-cut (including corner lots), with, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards];*
 - 14) 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).);*
 - 15) 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.);* and
 - 16) completion of the Subdivision process prior to any request for permits for new home land disturbance or construction.

The motion carried unanimously.

Case #SUB2013-00102

Briargrove Subdivision, Phase Three

North side of Jeff Hamilton Road extending to the West terminus of Hedgegrow Drive
North

Number of Lots / Acres: 26 Lots / 17.1± Acres

Engineer / Surveyor: Preble-Rish, LLC
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. Turner, with second by Mr. DeMouy to approve the above referenced matter, subject to the following conditions:

- 1) **seven copies of the Final Plat for the Briargrove Subdivision, Phase Two must be submitted to the Planning Section of the Urban Development Department prior to the signing of the Briargrove Subdivision, Phase Three;**
- 2) **the approval of all applicable federal, state and local agencies for wetland and floodplain issues prior to the issuance of any permits or land disturbance activities;**
- 3) **placement of a note on the Final Plat stating that the property owner/developer will comply with all local, state and federal regulations regarding endangered, threatened or otherwise protected species;**
- 4) **the placement of a note on the Final Plat stating that the development will 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 a letter 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 signing of the final plat. Certification is to be submitted to the Planning Section of Urban Development and County Engineering;**
- 5) **the placement of a note on the Final Plat stating temporary turnarounds shall be provided where streets end until future development of the streets;**
- 6) **the placement of a note on the Final Plat stating all lots are limited to one curb cut each, with the size, design and location to be approved by County Engineering;**
- 7) **labeling of the lots with their size in square feet, or placement of a table on the plat with the same information depicted on Final Plat;**
- 8) **the 25' minimum building setback line shall be retained on Final Plat;**
- 9) **the placement of a note on the Final Plat stating that any lots which are developed commercially and adjoin residentially developed property must**

- provide a buffer, in compliance with Section V.A.8 of the Subdivision Regulations; and
- 10) placement of a note on the plat stating that maintenance of the detention and common areas is the responsibility of the subdivision's property owners.

The motion carried unanimously.

Case #SUB2013-00101

O'Fallon and O'Fallon First Addition Subdivision

West side of McFarland Drive, 290'± South of Hamilton Creek Drive.

Number of Lots / Acres: 52 Lots / 19.4± 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 Mr. DeMouy to hold the matter over until the November 7th, 2013 meeting, with revisions due by October 14, 2013 so that the applicant can provide the following information:

- 1) revisions to the site plan to depict dedication of sufficient right of way along McFarland Road to provide 60' from centerline;
- 2) revisions to the site plan to depict a turnaround right-of-way diameter of 120 feet;
- 3) revised calculations of lot sizes where the property abuts each cul-de-sac;
- 4) revision of all lot size calculations to reflect any modifications required due to right-of-way dedication or cul-de-sac changes, and labeling of all lots with their size in square feet; and
- 5) revise plat to illustrate the correct labeling for McFarland Road.

The motion carried unanimously.

NEW PLANNED UNIT DEVELOPMENT APPLICATIONS:

Case #ZON2013-02185

HD 90, LLC

5796 U.S. Highway 90 West

(West side of U.S. Highway 90 West, 615'± North of Theodore Dawes Road).

Planned Unit Development Approval to allow shared access and parking.

Council District 4

The Chair recused himself from discussion and voting on the matter.

Mr. DeMouy 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.

Doug Anderson, Burr & Foreman law firm, spoke on behalf of the applicant. This application is to amend the PUD, to demolish and construct a new Hardee's restaurant. Mr. Anderson stated that the only comment he had was that they would prefer to leave the menu board & microphone where it is currently located.

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) **revision of the site plan to provide a compliant City-standard public sidewalk within the frontage right-of-way of the proposed development, or the submission of a Sidewalk Waiver Application;**
- 2) **compliance with Sections 64-4.A.2., 64-6.A.3.c., and 64-6.A.8. of the Zoning Ordinance regarding site lighting;**
- 3) **compliance with the Engineering comments: [1) 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). The applicant t must also contact ALDOT – Ninth Division to see if any ALDOT Permits are required for this proposed project. 2) 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) A complete set of Construction plans for the site work – including, but not limited to, drainage, utilities, grading, storm water detention systems, paving, and all above ground structures, will be required to be submitted with the Land Disturbance permit. These plans are to be submitted and approved prior to beginning any of the construction work. 4) Must comply with all Engineering Department Policy Letters: i.) 5-13-2009 Policy Letter(Car wash drains and dumpster pads to drain to Sanitary Sewer System) ii.) 8-4-2004 Policy Letter (Video inspection of new Storm Sewer System Piping) iii.) 3-18-2004 Policy Letter (Additional subdivision street requirements).];**
- 4) **compliance with the Traffic Engineering comments: (U.S. Highway 90 is an ALDOT roadway. Driveway number, size, location, and design to be approved by ALDOT (Highway 90 only) and Traffic Engineering and conform to AASHTO standards. Owner/Developer will be required to provide documentation to the City from ALDOT to confirm their review and approval of the site prior to issuance of a Land disturbance permit. The**

new layout of the site affects parking and access aisles on Lot 2 of the PUD as the drive-thru is now further west on the property. Additional information needs to be provided to ensure that the overall site circulation is not negatively impacted by the changes on the Hardee's property);

- 5) **compliance with 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). Preservation status is to be given to the 55" Live Oak Tree located on the North East side of Lot 2. Any work on or under this tree is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger);*
- 6) **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.);*
- 7) **full compliance with all other municipal codes and ordinances; and**
- 8) **submittal of 2 (two) copies of a revised site plan to Planning reflecting all conditions of approval prior to the submittal for development permits.**

The motion carried unanimously with Mr. Plauche recusing.

Case #ZON2013-02187

D & M Properties, LLC

5721 U.S. Highway 90 West

(East side of U.S. Highway 90 West, 330'± South of Plantation Road).

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

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

- 1) **successful vacation of the 15' drainage easement.**

The motion carried unanimously.

Case #ZON2013-02229

SKCL, LLC

West side of University Boulevard, ¼ ± mile South of Old Shell Road.

Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow multiple buildings on a single building site along with shared access between three lots.

Council District 6

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.

Travis Keedy, Gulf State Engineering, spoke on behalf of the applicant. He requested to maintain on the day's docket and stated that they have complied with all request and submitted a new drawing the week of the meeting.

Mr. Olsen informed the Commission that there were conditions of approval prepared.

Mr. Keedy stated that he was in agreement with the conditions.

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

- 1) **revision of the site plan to illustrate a residential buffer compliant with Section 64-4.D.1. of the Zoning Ordinance where the site abuts residentially developed property;**
- 2) **modify location of the dumpster enclosure or eliminate two adjacent parking spaces;**
- 3) **illustration of sidewalk along University Boulevard;**
- 4) **all two-way travel aisle must be revised to illustrate 24 feet;**
- 5) **removal of Northern-most drive, including the existing curb-cut, to comply with previous Planned Unit Development approvals and Traffic Impact Study recommendations;**
- 6) **revisions to site plan to depict the correct number of frontage trees;**
- 7) **revisions to site plan to depict total frontage landscaping area in square feet;**
- 8) **compliance with Traffic Engineering comments: *“Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. As per the previous PUD approval, this lot is limited to one shared access at the property line to the south. The adjacent site to the south is currently in the design/construction process and coordination for the shared access is necessary. The shared driveway will be a three lane 36' driveway, with 20' radii. The frontage driving aisle on the adjacent site is 30' and offset approximately 17' from the property line. This proposed site is illustrated as 23' in width offset 23.5' from the property line. This offset equates to 0.5' difference on the west side of the aisle, and 6.5' difference on the east side of the aisle. Modifications to the frontage aisle may affect landscape calculations. The second illustrated driveway on the northern property limits is denied, and the existing driveway cut on University Blvd should be removed and replaced with a continuous curb up to the northern property line. Sidewalk will be required along the property frontage, and per***

City standard should be located 1' off the property line within the right-of-way.”;

- 9) **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). The applicant must also contact ALDOT – Ninth Division to see if any ALDOT Permit s are required for this proposed project. 1. 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. 2. A complete set of construction plans for the site work – including, but not limited to, drainage, utilities, grading, storm water detention systems, paving, and all above ground structures, will be required to be submitted with the Land Disturbance permit. These plans are to be submitted and approved prior to beginning any of the construction work. 3. Must comply with all Engineering Department Policy Letters:*
- i. 5-13-2009 Policy Letter(Car wash drains and dumpster pads to drain to Sanitary Sewer System)*
 - ii. 8-4-2004 Policy Letter (Video inspection of new Storm Sewer System Piping)*
 - iii. 3-18-2004 Policy Letter (Additional subdivision street requirements);*
- 10) **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).”;*
- 11) **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*
- 12) **full compliance with all other applicable municipal codes and ordinances.**

The motion carried unanimously.

NEW ZONING APPLICATIONS:

Case #ZON2013-02183

Rangeline-Hamilton Commercial Park, LLC

North side of Hamilton Boulevard at the South terminus of Dockside Drive.
Rezoning from I-1, Light-Industry District, to I-2, Heavy Industry District, to accommodate current and future businesses.
Council District 4

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

Doug Anderson, Burr & Foreman Law Firm, requested the application be heldover for the November 7th meeting rather than November 21st meeting.

Mr. Olsen responded that would be fine.

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 November 7, 2013, with revisions due by October 14, 2013 to address the following:

- 1) **provide more information on the types of development occurring, which has already occurred, or that is proposed at the site; and**
- 2) **submission of explanation/documentation of alleged error in Zoning Map if property was not used as I-2 at the time of annexation**

The motion carried unanimously.

GROUP APPLICATIONS:

Case #SUB2013-00093 (Subdivision)

Storrs Manor Subdivision

115 Providence Street and 118 Catherine Street North

(West side of Providence Street, 280'± South of Spring Hill Avenue extending to the East side of Catherine Street North, 230'± South of Spring Hill Avenue).

Number of Lots / Acres: 1 Lot / 0.6± Acre

Engineer / Surveyor: Byrd Surveying, Inc.

Council District 2

(Also see, **Case #ZON2013-02189 (Rezoning) Storrs Manor Subdivision** 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. DeMouy to hold the matter over until the November 7, 2013 meeting. Revisions should be submitted before October 10, 2013 to address the following conditions:

- 1) **Revised Subdivision application to add Springhill Food Mart Subdivision with additional labels, notification, & lot fees; and**
- 2) **Submission of revised narrative regarding the subdivision and rezoning request to include B-2, Neighborhood Business**

The motion carried unanimously.

Case #ZON2013-02189 (Rezoning)

Storrs Manor Subdivision

115 Providence Street and 118 Catherine Street North

(West side of Providence Street, 280'± South of Spring Hill Avenue extending to the East side of Catherine Street North, 230'± South of Spring Hill Avenue).

Rezoning from R-1, Single-Family Residential District, and B-1, Buffer-Business District, to R-1, Single-Family Residential District, to eliminate split zoning.

Council District 2

(Also see, **Case #SUB2013-00093 (Subdivision) Storrs Manor Subdivision** above)

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 Dr. Rivizzigno to hold the matter over until the November 7, 2013 meeting. Revisions should be submitted before October 10, 2013 to address the following conditions:

- 1) Submission of revised narrative regarding the subdivision and rezoning request to include B-2, Neighborhood Business**

The motion carried unanimously.

Case #SUB2013-00085 (Subdivision)

Halls Mill South Industrial Park Subdivision, Resubdivision and Addition to Lot 5

5113 Halls Mill Road

(East side of Halls Mill Road, 2/10± mile South of Demetropolis Road).

Number of Lots / Acres: 1 Lot / 0.6± Acre

Engineer / Surveyor: John Farrior Crenshaw.

Council District 4

(Also see, **Case #ZON2013-01852 (Planned Unit Development) Halls Mill South Industrial Park Subdivision, Resubdivision and Addition to Lot 5** and **Case #ZON2013-01851 (Sidewalk waiver)Robert M. & Lori L. Sheffield** 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.

John Crenshaw, 8024 Murray Hill Rd, spoke on behalf of the applicant. He stated that his client is in agreement with all conditions except for Condition #1. They would like to request to retain the northern driveway; it is a small parking lot and helps separate the customers from the wrecker trucks that come in. He reiterated that they were in agreement with all other conditions.

Mr. Plauche asked if that included denial of the sidewalk waiver.

Mr. Crenshaw stated that was correct.

Ms. Bergin, Traffic Engineering, stated that she was in agreement with the Staff's recommendation.

Hearing no opposition or further discussion, a motion was made by Mr. DeMouy, with second by Mr. Turner 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 the Southern curb cut, with the size, location and design to be approved by Traffic Engineering and conform to AASHTO standards;
- 2) retention of the 25' minimum building setback line on the Final Plat as measured from the new right-of-way line following vacation;
- 3) revision of the plat to label the lot size in both square feet and acres on the Final Plat after vacation, or the furnishing of a table on the Final Plat providing the same information;
- 4) completion and recording of the right-of-way vacation prior to signing the Final Plat;
- 5) 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;
- 6) placement of a note on the Final Plat stating that development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species;
- 7) subject to the Engineering comments: *[The following comments should be addressed prior to acceptance and signature by the City Engineer: a.) Provide all of the required information on the Plat (i.e. signatures, certification statements, required notes). b.) Provide a signature from the Planning Commission, Owner(s) (notarized), Surveyor and the Traffic Engineering Department. c.) Add a note to the Plat stating that storm water detention will be required for any existing development (since 1984) that did not receive Land Disturbance permitting and 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). d.) Show and label the MFFE for Lot 1. 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) would be required prior to the issuance of a permit for any land disturbance activity. f.) 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).];*

- 8) subject to the Traffic Engineering comments: *(Any additional development of the site will require modifications to existing curb cut to meet city standards, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);*
- 9) 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).];*
- 10) 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); and*
- 11) submission of two copies of a revised PUD site plan showing compliance with all conditions of approval prior to signing of the Final Plat for the Subdivision.

The motion carried unanimously.

Case #ZON2013-01852 (Planned Unit Development)

Halls Mill South Industrial Park Subdivision, Resubdivision and Addition to Lot 5

5113 Halls Mill Road

(East side of Halls Mill Road, 2/10± mile South of Demetropolis Road).

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

Council District 4

(Also see, Case #SUB2013-00085 (Subdivision) Halls Mill South Industrial Park Subdivision, Resubdivision and Addition to Lot 5 above and Case #ZON2013-01851 (Sidewalk waiver) Robert M. & Lori L. Sheffield 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.

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

- 1) revision of the site plan to eliminate the Northern curb cut and drive;
- 2) revision of the site plan to provide the minimum required front yard landscaping ratio;
- 3) revision of the site plan to remove the gravel surfacing within the front parking area and provide asphalt, concrete, or an approved alternative paving surface;
- 4) provision of four over-story frontage trees as indicated on the site plan;
- 5) revision of the site plan to relocate the gate on the drive to the rear to a compliant 60' queuing setback from the new right-of-way line, or the placement of a note on the site plan stating that the gate is to remain open during all normal office hours;

- 6) retention of the note stating that garbage collection will be by curb-side pickup;
- 7) retention of the 10' side yard setback line on the site plan along the South side adjacent to residential zoning and use;
- 8) revision of the site plan to indicate a compliant zero setback with fire-rated walls or a 5' minimum setback along the North line for the air compressor shed, metal storage container, and the 100 square-foot shed;
- 9) obtaining of all required after-the-fact permits for the construction of the air compressor shed, 30.12' by 50.13' work shop, 100 square-foot shed, and the 11.5' by 32' wood shed;
- 10) obtaining of an after-the-fact demolition permit for the removed structure in the area of the proposed relocated wood shed;
- 11) obtaining of all required permits for the relocation of the 11.5' by 32' wood shed;
- 12) retention of the lot size label in square feet and acres after the right-of-way vacation, or the furnishing of a table on the site plan providing the same information;
- 13) subject to the 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). The applicant must also contact ALDOT – Ninth Division to see if any ALDOT Permits are required for this proposed project. 1.) 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. 2.) A complete set of construction plans for the site work – including, but not limited to, drainage, utilities, grading, storm water detention systems, paving, and all above ground structures, will be required to be submitted with the Land Disturbance permit. These plans are to be submitted and approved prior to beginning any of the construction work. 3.) Must comply with all Engineering Department Policy Letters: i.) 5-13-2009 Policy Letter (Car wash drains and dumpster pads to drain to Sanitary Sewer System) ii.) 8-4-2004 Policy Letter (Video inspection of new Storm Sewer System Piping) iii.) 3-18-2004 Policy Letter (Additional subdivision street requirements).];*
- 14) subject to the Traffic Engineering comments: *(Any additional development of the site will require modifications to existing curb cut to meet city standards, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);*
- 15) 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).];*

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- 16) **subject to 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);*
- 17) **full compliance with all municipal codes and ordinances;**
- 18) **submission of a variance for gravel parking (if the proposed Zoning Ordinance amendment for such is not approved); and**
- 19) **submittal of two copies of a revised site plan indicating compliance with all conditions of approval prior to signing of the Final Plat for the Subdivision.**

The motion carried unanimously.

Case #ZON2013-01851 (Sidewalk waiver)

Robert M. & Lori L. Sheffield

5113 Halls Mill Road

(East side of Halls Mill Road, 2/10± mile South of Demetropolis Road).

Request to waive construction of a sidewalk along Halls Mill Road.

Council District 4

(Also see, **Case #SUB2013-00085 (Subdivision) Halls Mill South Industrial Park Subdivision, Resubdivision and Addition to Lot 5** and **Case #ZON2013-01852 (Planned Unit Development) Halls Mill South Industrial Park Subdivision, Resubdivision and Addition to Lot 5** 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 opposition or further discussion, a motion was made by Mr. Turner, with second by Dr. Rivizzigno to deny the above referenced sidewalk waiver.

The motion carried unanimously.

Case#SUB2013-00100 (Subdivision)

Mack Manufacturing Subdivision

7205 Bellingrath Road

(East side of Bellingrath Road, 2/10± mile South of Old Military Road).

Number of Lots / Acres: 1 Lot / 7.4± Acres

Engineer / Surveyor: Daniel Clark, PLS

Council District 4

(Also see, **Case #ZON2013-02182 (Planned Unit Development) Mack Manufacturing Subdivision** and **Case #ZON2013-02181 (Rezoning) Daniel Clark** 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.

Lu Rockford Graham, 6951 Pope Lane, spoke on the matter. He stated that he owns 11

acres just East of Mack Manufacturing and he is concerned that the addition to the property will cause the severe sandblasting blow off issue even worse; he was wondering if there was anything they can do.

Nevin Mcelderry, 1242 Sudan St, spoke on his own behalf. He stated that he was not aware of the sandblasting issue, but would not have a problem with providing a higher mesh barrier.

Hearing no opposition or further discussion, a motion was made by Mr. Turner, with second by Mr. Vallas to waive Section V.B.14. of the Subdivision Regulations and to approve the above referenced matter, subject to the following conditions:

- 1) **Retention of the minimum building setback line of 45-feet, as depicted on the preliminary plat;**
- 2) **Placement of a note on the final plat stating that the lot is limited to the existing curb-cut, with any changes to the size or design to be approved by Traffic Engineering and to comply with AASHTO standards;**
- 3) **Compliance with Engineering comments (*The following comments should be addressed prior to acceptance and signature by the City Engineer: 1) Provide all of the required information on the Plat (i.e. signatures, certification statements, required notes). 2) Provide a signature from the Planning Commission, Owner(s) (notarized), and the Traffic Engineering Department. 3) Provide a drainage easement for the drainage ditch and vehicle access along the east and south property lines. Size and location to be approved by the City Engineer. 4) Add a note to the Plat stating that storm water detention will be required for any existing development (since 1984) that did not receive Land Disturbance permitting and 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) **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) **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) **Retention of the note on the final plat regarding endangered, threatened or otherwise protected species;**
- 8) **Depiction of any existing or proposed easements;**
- 9) **Submission of a revised PUD site plan prior to the signing of the final plat; and**
- 10) **Completion of the Subdivision process prior to any request for permits**

related to the proposed expansion.

The motion carried unanimously.

Case #ZON2013-02182 (Planned Unit Development)

Mack Manufacturing Subdivision

7205 Bellingrath Road

(East side of Bellingrath Road, 2/10± mile South of Old Military Road).

Planned Unit Development Approval to accommodate existing and future businesses and reduced front landscape requirements.

Council District 4

(Also see, **Case#SUB2013-00100 (Subdivision) Mack Manufacturing Subdivision** above and **Case #ZON2013-02181 (Rezoning) Daniel Clark** 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 further 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) **Revision of the site plan to reflect the provision of a three-sided enclosure for sand blasting operations, to minimize dust blowing off-site, as offered by the applicant at the meeting;**
- 2) **Revision of the site plan to adjust the location of the proposed expansion to be a minimum of 10-feet from the East and South property lines;**
- 3) **Revision of the site plan to depict the 10-foot protection buffer required by Section 64-4.D.1., and labeling of the area where fence screening will be provided adjacent to the new construction along the East and South property lines;**
- 4) **Placement of a note on the site plan stating that future residential development adjacent to the site will require full compliance with the buffering requirements of Section 64-4.D.1. where this site abuts residential uses;**
- 5) **Provision of 15 heritage trees within the 25-foot setback area, adjusted for the future widening of Bellingrath Road;**
- 6) **Provision of the total required landscape area on the site, with the provision of as much frontage landscape area as possible outside of the future right-of-way area, and revision of the frontage landscape area calculations;**
- 7) **Protection of any landscape areas counted for compliance with parking bumpers, landscape timbers or similar, to prevent encroachment by vehicles or lay down yards;**
- 8) **Depiction of any existing dumpsters on the site plan, and placement of a note on the site plan stating that new dumpsters placed on the site must comply with Section 64-4.D.9. of the Zoning Ordinance;**

- 9) Depiction of a sidewalk along Bellingrath Road, or submission of a sidewalk waiver request prior to any request for permits for new construction;
- 10) Retention of the 45-foot setback line on the site plan;
- 11) Compliance with Engineering comments *(1) 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). The applicant must also contact ALDOT – Ninth Division to see if any ALDOT Permits are required for this proposed project. 2) 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) A complete set of construction plans for the site work – including, but not limited to, drainage, utilities, grading, storm water detention systems, paving, and all above ground structures, will be required to be submitted with the Land Disturbance permit. These plans are to be submitted and approved prior to beginning any of the construction work. 4) Must comply with all Engineering Department Policy Letters: a. 5-13-2009 Policy Letter (Car wash drains and dumpster pads to drain to Sanitary Sewer System); b. 8-4-2004 Policy Letter (Video inspection of new Storm Sewer System Piping); c. 3-18-2004 Policy Letter (Additional subdivision street requirements));*
- 12) Compliance with Traffic Engineering comments *(Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards);*
- 13) 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).);*
- 14) 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.);*
- 15) Submission of a revised PUD site plan prior to the signing of the final plat;
and
- 16) Full compliance with all other municipal codes and ordinances.

The motion carried unanimously.

Case #ZON2013-02181 (Rezoning)

Daniel Clark

7205 Bellingrath Road

(East side of Bellingrath Road, 2/10± mile South of Old Military Road).

Rezoning from R-1, Single-Family Residential District, to I-2, Heavy Industry District, to accommodate existing and future businesses

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(Also see, **Case#SUB2013-00100 (Subdivision) Mack Manufacturing Subdivision**
and **Case #ZON2013-02182 (Planned Unit Development) Mack Manufacturing 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 further 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) Limited to an approved Planned Unit Development;**
- 2) Subject to full compliance with all other municipal codes and ordinances, including the appropriate permitting of all proposed work.**

The motion carried unanimously.

Case #SUB2013-00089 (Subdivision)
Antoine Trace Subdivision, Resubdivision of Lot 1

North side of Shady Lane, 140'± West of Hillcrest Road

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

Engineer / Surveyor: Wattier Surveying, Inc.

Council District 6

(Also see, **Case #ZON2013-02121 (Planned Unit Development) Antoine Trace Subdivision, Resubdivision of Lot 1** 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.

Don Williams, Williams Engineering, spoke on behalf of the applicant and made the following points:

- A. the lot is a 100ft wide lot that they would like to separate into two 50ft wide lots;
- B. the intent is to build 2 houses;
- C. feel as if it is economical to build two smaller house rather than one large house;

Mr. Olsen stated that the staff did prepare conditions of approval but still stood by their recommendation for denial.

Mr. Williams also stated that he would like to withdraw the PUD application.

Hearing no opposition or further discussion, a motion was made by Ms. Roberson, with

second by Mr. Vallas to waive Section V.D.2. and V.D.3. and to approve the above referenced matter, subject to the following conditions:

- 1) Retention of the 25' minimum building setback line and lot size information on the Final Plat;
- 2) Placement of a note on the Final Plat stating that each lot should be limited to one curb-cut each, with the size, design and location to be approved by Traffic Engineering and conform to AASHTO standards.;
- 3) Placement of a note on the Final Plat stating: (*Development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.*);
- 4) Compliance with Engineering comments: (*The following comments should be addressed prior to acceptance and signature by the City Engineer: a. Provide all of the required information on the Plat (i.e. signature blocks, signatures, certification statements, required notes, legend). b. 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). c. Add a signature block and signature for the Owner (notarized), Surveyor, Planning Commission and Traffic Engineer. d. Provide and label the monument set or found at each subdivision corner. e. Provide the Surveyor's Certificate. f. 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) would be required prior to the issuance of a permit for any land disturbance activity. g. 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) 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.*);
- 6) Compliance with Traffic Engineering comments: (*Each lot should be limited to one curb-cut, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.*);
- 7) 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).*); and
- 8) Completion of the Subdivision process prior to any request for permits for new home-related land disturbance or construction.

The motion carried unanimously.

Case #ZON2013-02121 (Planned Unit Development)

Antoine Trace Subdivision, Resubdivision of Lot 1

North side of Shady Lane, 140'± West of Hillcrest Road

Planned Unit Development Approval to allow reduced lot size and reduced side yard setback.

Council District 6

(Also see, **Case #SUB2013-00089 (Subdivision) Antoine Trace Subdivision, Resubdivision of Lot 1** 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 opposition or further discussion, a motion was made by Ms. Roberson, with second by Mr. Vallas to withdraw the application at the applicant's request.

The motion carried unanimously.

Case #SUB2013-00084 (Subdivision) (Holdover)

Providence Park Subdivision, POB West, North Addition

600 Providence Park Drive East

(West side of Providence Park East, 2/10'± South of Airport Boulevard).

Number of Lots / Acres: 3 Lots / 11.6± Acres

Engineer / Surveyor: The Coleman Engineering Group of McCrory Williams, Inc.

Council District 6

(Also see, **Case #ZON2013-02167 (Planned Unit Development) Providence Hospital and Citrin & Rihner Enterprises** 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 Dr. Rivizzigno to approve the above referenced matter, subject to the following conditions:

- 1) **Revision of the plat to depict and label setbacks from all existing and proposed streets for all three lots, where the lots are a minimum of 60-feet in width;**
- 2) **Revision of the plat to also include the lot size in square feet;**
- 3) **Placement of a note on the plat stating that Lot 1 is limited to its two existing curb-cuts to Providence Park Drive East, that Lots 2 and 3 are**

limited to one curb-cut each to Providence Park Drive East, with the size, design and location to be approved by Traffic Engineering and to comply with AASHTO standards;

- 4) Removal of the conflicting note stating that the setbacks are 25 feet;
- 5) Depiction and labeling of the “future development” area on the final plat;
- 6) Placement of a note on the final plat stating that development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species;
- 7) Compliance with Engineering comments (*The following comments should be addressed prior to acceptance and signature by the City Engineer: 1. Provide all of the required information on the Plat (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, bearings and distances). 2. 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). 3. Add a signature block for the Owner, Notary, Planning Commission, Traffic Engineer, City Engineer, and County Engineer. 4. Provide a written legal description for the proposed subdivision and matching bearing and distance labels. 5. Provide and label the monument set or found at each subdivision corner. 6. Provide the Surveyor’s, Owner’s (notarized), Planning Commission, and Traffic Engineering signatures. 7. 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) would be required prior to the issuance of a permit for any land disturbance activity.*);
- 8) Compliance with Traffic Engineering comments (*Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.*);
- 9) 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). Preservation status is to be given to the 53” Live Oak Tree located on the North West side of the proposed Lot 1. Any work on or under this tree is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger.*);
- 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.*); and
- 11) Submission of a revised PUD site plan prior to the signing of the final plat.

The motion carried unanimously.

Case #ZON2013-02167 (Planned Unit Development)
Providence Hospital and Citrin & Rihner Enterprises

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600 Providence Park East

(West side of Providence Park Drive East, (private street), 2/10± mile South of Airport Boulevard).

Planned Unit Development Approval to amend the conditions of a previously approved Planned Unit Development to allow the expansion of lots and parking area.

Council District 6

(Also see, **Case #SUB2013-00084 (Subdivision) (Holdover) Providence Park Subdivision, POB West, North Addition** above)

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) **Revision of the site plan to depict and label setbacks from all existing and proposed streets for all three lots, where the lots are a minimum of 60-feet in width;**
- 2) **Revision of the site plan to also include the lot size in square feet;**
- 3) **Revision of the site plan to depict existing and proposed sidewalks along Providence Park Drive East;**
- 4) **Verification that Lots 1 and 2 will each fully comply with the tree and landscape requirements of Section 64-4.E. of the Zoning Ordinance;**
- 5) **Compliance with Section 64-6.A.8. of the Zoning Ordinance, regarding Parking Lot Lighting;**
- 6) **All parking spaces must be a minimum of 9 x 18 feet, and any accessible parking spaces required by the applicable building code regulations include the appropriate signage, markings and access aisles;**
- 7) **Any new dumpsters placed on either lot proposed for new or expanded development must comply with Section 64-4.D.9. of the Zoning Ordinance regarding screening and connection to sanitary sewer, and all existing dumpsters should be labeled;**
- 8) **Compliance with Engineering comments (1) *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). The applicant must also contact ALDOT – Ninth Division to see if any ALDOT Permit s are required for this proposed project.* 2) *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) A complete set of construction plans for the site work – including, but not limited to, drainage, utilities, grading, storm water detention systems, paving, and all above ground structures, will be required to be submitted with the Land Disturbance permit. These plans are to be submitted and approved prior to beginning any of the construction work. 4) Must comply with all Engineering Department Policy Letters: a. 5-13-2009 Policy Letter (Car wash drains and dumpster pads to drain to Sanitary Sewer System); b. 8-4-2004 Policy Letter (Video inspection of new Storm Sewer System Piping) ;c. 3-18-2004 Policy Letter (Additional subdivision street requirements));*
- 9) **Compliance with Traffic Engineering comments (Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.);**
 - 10) **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). Preservation status is to be given to the 53” Live Oak Tree located on the North West side of the proposed Lot 1. Any work on or under this tree is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger.);**
 - 11) **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.);**
 - 12) **Submission of a revised PUD site plan prior to the signing of the final plat; and**
 - 13) **Full compliance with all other municipal codes and ordinances.**

The motion carried unanimously.

Case #SUB2013-00098 (Subdivision)

Tuthill Square Subdivision, Hunter Addition to

4058 Old Shell Road

(North side of Old Shell Road, 135'± West of Tuthill Lane, extending North to Stein Street).

Number of Lots / Acres: 5 Lots / 3.6± Acres

Engineer / Surveyor: The Coleman Engineering Group of McCrory & Williams, Inc.
Council District 7

(Also see, **Case #ZON2013-02165 (Planned Unit Development) Tuthill Square Subdivision, Hunter Addition to** 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.

Douglas Curley, architect that is working with the family, spoke in favor of the application. He stated that he felt as if this was a good solution to the property; it is a historic property and one of the more important buildings in the City of Mobile. He

added that he believes that the Subdivision and the PUD respects the property.

Ernie Farnell, 4249 Stein St, spoke on the matter. He was concerned that the way the conditions read it would allow multiple buildings on the lot after the approval of this application.

Mr. Olsen stated that PUD applications are site plan specific and they were going to add additional buildings they would have to come back before the Commission to amend this PUD.

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) **retention of the lot sizes in square feet and acres;**
- 2) **dedication to provide 25' from the centerline along Old Shell Road;**
- 3) **retention of the 25' minimum building setback line along all street frontages;**
- 4) **placement of a note stating that no additional structures will be allowed to be constructed within the 25' minimum building setback line;**
- 5) **placement of a note stating that Lots 1, 3, and 4 are limited to existing curb cuts; Lot 2 is limited to one curb cut to Stein Avenue; and Lot 5 is limited to one curb cut to Old Shell Road;**
- 6) **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.);**
- 7) **placement of a note stating preservation status is to be given to the Three 84" Live Oak Trees and One 60" Live Oak Tree located on proposed Lot 1. 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) **compliance with Engineering comments, (*The following comments should be addressed prior to acceptance and signature by the City Engineer: a. Provide all of the required information on the Plat (i.e. signature blocks, signatures, certification statements, required notes, legend). b. 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). c. Add a signature block and signature for the Owner (notarized), Planning Commission and Traffic Engineer. d. Provide a signature block for the City Engineer and the County Engineer. e. Provide and label the monument set or found at each subdivision corner. f. 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) would be required prior to the issuance of a permit for any land*)**

disturbance activity. g. 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).;

- 9) Submission of two (2) copies of the revised Planned Unit Development site plan prior to the signing of the Final Plat; and
- 10) 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 #ZON2013-02165 (Planned Unit Development)

Tuthill Square Subdivision, Hunter Addition to

4058 Old Shell Road

(North side of Old Shell Road, 135'± West of Tuthill Lane, extending North to Stein Street).

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

Council District 7

(Also see, Case #SUB2013-00098 (Subdivision) **Tuthill Square Subdivision, Hunter Addition to** above)

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 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) **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). The applicant must also contact ALDOT – Ninth Division to see if any ALDOT Permit s are required for this proposed project. 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. A complete set*

of construction plans for the site work – including, but not limited to, drainage, utilities, grading, storm water detention systems, paving, and all above ground structures, will be required to be submitted with the Land Disturbance permit. These plans are to be submitted and approved prior to beginning any of the construction work. Must comply with all Engineering Department Policy Letters: 5-13-2009 Policy Letter (Car wash drains and dumpster pads to drain to Sanitary Sewer System), 8-4-2004 Policy Letter (Video inspection of new Storm Sewer System Piping), and 3-18-2004 Policy Letter (Additional subdivision street requirements);

- 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). Preservation status is to be given to the Three 84” Live Oak Trees and One 60” Live Oak Tree located on proposed Lot 1. 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.);*
- 3) *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.);*
- 4) *submission of two (2) revised copies of the site plan; and*
- 5) *completion of the Subdivision process.*

The motion carried unanimously.

Case #SUB2013-00103 (Subdivision)

Longleaf Gates Subdivision, Phase Two

North side of Girby extending to the East terminus of Whitebark Drive.

Number of Lots / Acres: 61 Lots / 42.2± Acres

Engineer / Surveyor: Preble-Rish, LLC

Council District 6

(Also see, Case #ZON2013-02191 (Planned Unit Development) **Longleaf Gates Subdivision, Phase Two** below)

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.

Desiree Bishop, Director of Environmental Studies Center, spoke in opposition to the above reference matter and made the following points:

- A. Opposed to Phase Two just as they were opposed to Phase One;
- B. the site is environmentally sensitive;
- C. it is a very important wetland area;

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- D. it is a green corridor and a migratory bird flyaway area;
- E. no amount of hay bales or silk fences that are placed will stop erosion or the decrease in water quality;
- F. phase One has already impacted the Environmental Center;
- G. fertilizer run-off has caused a blue/green lake;
- H. will decrease wildlife.

Hearing no further opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. DeMouy hold the matter over until the meeting of November 21st in order to allow the applicant to submit a rezoning application to eliminate the split zoning within the Eastern portion of the site, and to revise the plat to address the following items:

- 1) **illustration of the required dedication along Girby Road to provide 50' from the centerline;**
- 2) **revision of the labeled size of the Southern common area following the required dedication along Girby Road;**
- 3) **revision of the plat to label the area adjacent to the East of Lot 18 as a common area and also labeled with its size in square feet and acreage;**
- 4) **revision of the plat to indicate a compliant 60' radius cul-de-sac instead of a street-stub at the West terminus of Magpie Drive, with a shortened street-sub off it labeled "emergency access only" leading to the vacant property to the West.**

The motion carried unanimously with Mr. Vallas recusing.

Case #ZON2013-02191 (Planned Unit Development)

Longleaf Gates Subdivision, Phase Two

North side of Girby extending to the East terminus of Whitebark Drive.

Planned Unit Development Approval to allow a private road residential subdivision

Council District 6

(Also see, **Case #SUB2013-00103 (Subdivision) Longleaf Gates Subdivision, Phase Two** 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.

Hearing no opposition or discussion, a motion was made by Mr. Plauche, with second by Mr. DeMouy hold the matter over until the meeting of November 21st in order to allow the applicant to submit a rezoning application to eliminate the split zoning within the Eastern portion of the site, and to revise the site plan to address the following items:

- 1) **illustration of the required dedication along Girby Road to provide 50' from**

- the centerline;
- 2) revision of the labeled size of the Southern common area following the required dedication along Girby Road;
 - 3) revision of the site plan to label the area adjacent to the East of Lot 18 as a common area and also labeled with its size in square feet and acreage;
 - 4) revision of the site plan to indicate a compliant 60' radius cul-de-sac instead of a street-stub at the West terminus of Magpie Drive, with a shortened street-sub off it labeled "emergency access only" leading to the vacant property to the West.

The motion carried unanimously with Mr. Vallas recusing.

OTHER BUSINESS:

1. **Possible call for Public Hearing November 7, 2013, to consider adoption of a Form Based Code and establishment of a Downtown Development District within the Hank Aaron Loop.**

The chair announced the date of the Public Hearing.

Hearing no opposition or further discussion, a motion was made by Mr. Plauche, with second by Mr. Turner, to hold the Public Hearing on November 7, 2013.

Date may be subject to change due to change in Advertising publication.

The motion carried unanimously.

Hearing no further business, the meeting was adjourned.

APPROVED: March 6, 2014



Dr. Victoria Rivizzigno, Secretary



Terry Plauche, Chairman

/jpw