

MOBILE CITY PLANNING COMMISSION MINUTES
MEETING OF DECEMBER 16, 2004 - 2:00 P.M.
AUDITORIUM, MOBILE GOVERNMENT PLAZA

Members Present

Terry Plauche, Chairman
Victor McSwain, Secretary
Ann Deakle
Nicholas Holmes
James Laier (S)
Mead Miller
James Watkins III
John Vallas

Members Absent

Victoria L. Rivizzigno
Clinton Johnson

Urban Development Staff Present

Richard L. Olsen, Planner II
Margaret Pappas, Planner II
Madeleine Masters, Planner I
David Daughenbaugh, Urban Forestry
Val Manuel, Secretary II

Others Present

Wanda Cochran, Assistant City Attorney
Pat Stewart, County Engineering
Beverly Terry, City Engineering

Mr. Plauche stated the number of members present constituted a quorum and called the meeting to order.

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

APPROVAL OF MINUTES:

After discussion a motion was made by Mr. Plauche and seconded by Mr. Miller to approve the minutes of October 7, 2004, October 21, 2004 and November 4, 2004, meetings as submitted.

The motion carried unanimously.

HOLDOVERS:

Case #ZON2004-02357 (Rezoning)

Automotive Computer Services, Inc.

South side of Downtowner Loop South, 555'± West of Downtowner Boulevard.

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A request for a change in zoning from B-3, Community Business, to B-2, Neighborhood Business, to eliminate split zoning in a proposed commercial subdivision was considered.

The plan illustrates the proposed building, parking, sidewalk, landscaping, and proposed rezoning.

Mr. Plauche stated that the applicant was present and concurred with the staff recommendations.

There was no one present in opposition.

After discussion a motion was made by Mr. Watkins and seconded by Mr. Laier to approve this change in zoning to the City Council subject to the following conditions:

- 1) full compliance with the landscaping and tree planting requirements of the Ordinance, required tree plantings cannot be placed in the drainage easement; and
- 2) full compliance with all municipal codes and ordinances.

The motion carried unanimously.

Ms. Deakle rescued from discussion and voting.

EXTENSIONS:

Case #ZON2002-00559 (Planned Unit Development)

D/M Subdivision

2548 and 2550 Government Boulevard (West side of Government Boulevard, 240'± North of Kreitner Street, extending to the North side of Kreitner Street, 235'± West of Government Boulevard).

A request for a one-year extension of a previous Planned Unit Development Approval to allow shared access between multiple building sites.

The request for a one-year extension of a previous approval was considered,

(Also see Case #SUB2002-00046 - D/M Subdivision – Below).

Don Coleman, Rester and Coleman Engineers, was present on behalf of the applicant and concurred with the staff recommendations.

After discussion a motion was made by Mr. Plauche and seconded by Mr. Laier to approve this request and to advise the applicant that a third extension will be unlikely.

The motion carried unanimously.

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Case #SUB2002-00046 (Subdivision)

D/M Subdivision

2548 and 2550 Government Boulevard (West side of Government Boulevard, 240'± North of Kreitner Street, extending to the North side of Kreitner Street, 235'± West of Government Boulevard).

4 Lots / 13.2± Acres

The request for a one-year extension of a previous approval was considered.

(For discussion see Case #ZON2002-00559 - D/M Subdivision [PUD] – Above).

Don Coleman, Rester and Coleman Engineers, was present on behalf of the applicant and concurred with the staff recommendations.

After discussion a motion was made by Mr. Plauche and seconded by Mr. Laier to approve this request and to advise the applicant that a third extension will be unlikely.

The motion carried unanimously.

GROUP APPLICATIONS:

Case #ZON2004-02441 (Planning Approval)

UMS-Wright School

65 North Mobile Street (Southwest corner of North Mobile Street and Old Shell Road, extending South and West to the Illinois Central Gulf Railroad right-of-way and the South terminus of Martin Street).

A request for Planning Approval to allow expanded parking and traffic access changes at an existing school in an R-1, Single-Family Residential district was considered.

The plan illustrates the existing structures, parking areas along with the proposed buildings, drives, parking areas, and concourse.

(Also see Case #ZON2004-02440 –UMS-Wright School [PUD] – Below).

Mr. Plauche stated that the applicant was present and concurred with the staff recommendations.

There was no one present in opposition.

After discussion a motion was made by Mr. Laier and seconded by Mr. Miller to approve this plan subject to the following conditions:

- 1) location and design of the relocated curb cut to be approved by the Traffic Engineering Department;
- 2) the two “abandoned” curb cuts to be removed, with new curbing and landscaping to be installed per City of Mobile standards;

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- 3) completion of sidewalks along Mobile Street prior to use of the new parking facilities;
- 4) provision of landscaping and tree plantings in compliance with the ratios set forth in Section IV.E.3.a of the Zoning Ordinance for the project areas; and
- 5) full compliance with all municipal codes and ordinances.

The motion carried unanimously.

Mr. Holmes rescued from discussion and voting.

Case #ZON2004-02440 (Planned Unit Development)

UMS-Wright School

65 North Mobile Street (Southwest corner of North Mobile Street and Old Shell Road, extending South and West to the Illinois Central Gulf Railroad right-of-way and the South terminus of Martin Street).

A request for Planned Unit Development Approval to amend a previously approved Master Plan for an existing school in an R-1, Single-Family Residential district was considered.

The plan illustrates the existing structures, parking areas along with the proposed buildings, drives, parking areas, and concourse.

(For discussion see Case #ZON2004-02441 – UMS-Wright School [Planning Approval] – Above).

Mr. Plauche stated that the applicant was present and concurred with the staff recommendations.

There was no one present in opposition.

After discussion a motion was made by Mr. Laier and seconded by Mr. Miller to approve this plan subject to the following conditions:

- 1) location and design of the relocated curb cut to be approved by the Traffic Engineering Department;
- 2) the two “abandoned” curb cuts to be removed, with new curbing and landscaping to be installed per City of Mobile standards;
- 3) completion of sidewalks along Mobile Street prior to use of the new parking facilities;
- 4) provision of landscaping and tree plantings in compliance with the ratios set forth in Section IV.E.3.a of the Zoning Ordinance for the project areas; and
- 5) full compliance with all municipal codes and ordinances.

The motion carried unanimously.

Mr. Holmes rescued from discussion and voting.

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NEW ZONING APPLICATION:

Case #ZON2004-02464

Hargrove & Associates, Inc.

210 South Washington Avenue (Northwest corner of South Washington Avenue and Canal Street).

A request for a change in zoning from R-1, Single-Family Residential, to B-1, Buffer Business, for an engineering office was considered.

The plan illustrates the existing structure and parking, along with the structure to be removed.

Ralph Hargrove, President of Hargrove & Associates, was present and concurred with the staff recommendations. Mr. Hargrove said he understood the City Traffic Engineer's remarks about no redesign of parking and no use of public right-of-way for maneuvering. He said they had initiated the process for vacation of right-of-way or a use agreement.

Bob Hanks, a resident of 200 Warren Street in the Church Street East Historic District, said the residents were in support of this project and felt it would be good for the neighborhood.

After discussion a motion was made by Mr. Watkins and seconded by Mr. Vallas to approve this change in zoning to the City Council subject to the following conditions:

- 1) the provision of a six-foot wooden privacy fence where the site adjoins residential development (to be reduced to three feet within the required setback);
- 2) full compliance with the landscaping and tree planting requirements of the Ordinance, to be coordinated with and approved by Urban Forestry;
- 3) the redesign or elimination of any parking spaces that utilize public rights-of-way for access and maneuvering (vacation of Service Road Right-of-Way or Right-of-Way Use Agreement will be acceptable); and
- 4) full compliance with all municipal codes and ordinances.

In further discussion Mr. McSwain asked about the condition for the redesign or elimination of any parking spaces. He said the applicant indicated they were going to ask for vacation of that section of the service road. Mr. McSwain asked if approval should be subject to the vacation.

Ms. Pappas replied that either that or they could get a right-of-way use agreement. Or, they could redesign it.

Mr. McSwain said he did not see any problem with that either.

Mr. Plauche called the question. The motion carried unanimously.

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NEW PLANNED UNIT DEVELOPMENT APPLICATION:

Case #ZON2004-02446

Lee Olander

3765 Moffett Road (West side of Moffett Road, 325'± North of Kendrick Drive).

A request for Planned Unit Development Approval to allow shared access between building sites was considered.

The site plan illustrates the existing and proposed structures, parking, curbs and trees.

Mr. Plauche stated that the applicant was present and concurred with the staff recommendations.

There was no one present in opposition.

After discussion a motion was made by Mr. McSwain and seconded by Mr. Laier to approve this plan subject to the following conditions:

- 1) full compliance with the landscaping and tree planting requirements of the Ordinance;
- 2) limited to office or retail use unless a new plan is submitted and approved illustrating the provision of adequate parking; and
- 3) full compliance with all municipal codes and ordinances.

The motion carried unanimously.

NEW SUBDIVISION APPLICATIONS:

Case #SUB2004-00252

Dawes Heights Subdivision, Resubdivision of Lot 1

West side of Dawes Road, 140'± North of Augusta Drive.

2 Lots / 0.3± Acre

Pete Kling, a resident of 16225 Adams Lane, Summerdale, and owner of the subject property, said he was in agreement with all the recommendations but would like to request a holdover.

Ms. Pappas asked the purpose of the holdover.

Mr. Kling explained that on the north side of the property there was a private road, which was owned by the owner of the remainder of the subdivision. Mr. Kling said the owner had agreed to grant him an easement to use that private road. That being the case, he would like to holdover the application.

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Ms. Pappas said he would definitely need to holdover the application. She stated that the applicant should call and set up a meeting with the staff in order to submit a revised plat for the Commission members to review at the January 6, 2005 meeting.

Mr. Kling agreed.

After discussion a motion was made by Mr. Plauche and seconded by Mr. Laier to hold over the application at the applicant's request.

The motion carried unanimously.

Case #SUB2004-00255

Duncan Subdivision, Resubdivision of Lot 5

South side of Ben Hamilton Road, 3/10 mile± East of March Road.

6 Lots / 3.0± Acres

Mr. Plauche stated that the applicant was present and concurred with the staff recommendations.

There was no one present in opposition.

After discussion a motion was made by Mr. McSwain and seconded by Mr. Miller to waive Section V.D.3. and approve the above referenced subdivision subject to the following conditions:

- 1) the placement of a note on the final plat stating that there shall be no resubdivision of Lots 5 and 6 until additional frontage is provided on an open and maintained public right-of-way; and
- 2) 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.7. of the Subdivision Regulations.

The motion carried unanimously.

Case #SUB2004-00250

Caffey Green Subdivision

1608 St. Stephens Road (Northwest corner of St. Stephens Road and Dunbar Street).

1 Lot / 0.4± Acre

Mr. Plauche stated that the applicant was present and concurred with the staff recommendations.

Donald Watson, a resident of 304 Bay Shore Avenue, stated that he was project coordinator for the St. Stephens Road Improvement Association. He had met with Mr. Green, their architects and engineers, and they were in full support and endorsed the staff recommendations for approval of this subdivision.

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There was no one present in opposition.

After discussion a motion was made by Mr. McSwain and seconded by Mr. Miller to approve the above referenced subdivision subject to the following conditions:

- 1) the dedication of sufficient right-of-way to provide 50-feet from the centerline of St. Stephens Road; and
- 2) the placement of a note on the final plat stating that the number, location, size, and design of all curb cuts to St. Stephens Road must be approved by Traffic Engineering.

The motion carried unanimously.

Case #SUB2004-00256

Harmony Ridge Subdivision, Unit One, Resubdivision of Lot 15

Southeast corner of Symphony Way South and Melody Lane.

1 Lot / 0.5± Acre

Mr. Plauche stated that the applicant was present and concurred with the staff recommendations.

There was no one present in opposition.

After discussion a motion was made by Mr. McSwain and seconded by Mr. Miller to approve the above referenced subdivision subject to the following conditions:

- 1) 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.7. of the Subdivision Regulations; and
- 2) the placement of the 25-foot minimum setback line on the final plat.

The motion carried unanimously.

Case #SUB2004-00253

King's Branch Subdivision, Unit 4

North terminus of Meadow Lane, extending to the South terminus of Jester Drive East.

19 Lots / 9.8± Acres

Mr. Plauche stated that the applicant was present and concurred with the staff recommendations.

There was no one present in opposition.

After discussion a motion was made by Mr. McSwain and seconded by Mr. Miller to approve the above referenced subdivision subject to the following conditions:

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- 1) all common areas be indicated on the final plat with a note stating that the maintenance thereof is the responsibility of the property owners association; and
- 2) 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.7. of the Subdivision Regulations

The motion carried unanimously.

Case #SUB2004-00251

Watts Estates Subdivision, Resubdivision of Lots 1, 2 & 5

North side of Wulff Road, 680' ± East of Hardeman Road.

2 Lots / 7.5± Acres

Mr. Plauche stated that the applicant was present and concurred with the staff recommendation.

There was no one present in opposition.

After discussion a motion was made by Mr. McSwain and seconded by Mr. Miller to waive Section V.D.3. and approve the above referenced subdivision subject to the following condition:

- 1) 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.7. of the Subdivision regulations

The motion carried unanimously.

Case #SUB2004-00254

Winchester Subdivision

East side of Snow Road, 1,950' ± South of Moffett Road, extending to the South side of Moffett Road, 1,130' ± West of the Illinois Central Gulf Railroad right-of-way.

197 Lots / 106.3± Acres

Mr. Plauche stated that the applicant was present and concurred with the staff recommendations.

There was no one present in opposition.

After discussion a motion was made by Mr. McSwain and seconded by Mr. Miller to approve the above referenced subdivision subject to the following conditions:

- 1) submission of documentation of approvals for the centralized effluent disposal system from Mobile County Board of Health and ADEM prior to recording of the final plat;

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- 2) the treatment plant and the drip fields and park area to also be designated as Common Areas, and a note placed on the final plat stating all common areas shall be maintained by the property owners;
- 3) dedication of sufficient right-of-way to provide a minimum of 50' from centerline for the entire Snow Road frontage;
- 4) placement of a note on the final plat stating that lots 1, 2, 9 & 10 are denied direct access to Snow Road;
- 5) placement of a note on the final plat stating that lots 3-8 are limited to a total of three curb cuts to Snow Road, location and design to be approved by County Engineering;
- 6) placement of a note on the final plat stating that a buffer, in compliance with Section V.A.7. shall be provided where the commercial properties adjoin residential property.

The motion carried unanimously.

NEW SIDEWALK WAIVER APPLICATION:

Case #ZON2004-02412

Monticello Fund LLC

1951 West I-65 Service Road North (Northwest corner of West I-65 Service Road North and Brookdale Drive North).

A request to waive construction of a sidewalk along East I-65 Service Road North was considered.

Mr. Plauche stated that the applicant was present.

There was no one present in opposition.

A motion was made by Mr. McSwain and seconded by Mr. Vallas to approve this request.

The motion carried unanimously.

There being no further business, the meeting was adjourned.

APPROVED: February 3, 2005

/s/ Victor McSwain, Secretary

/s/ Terry Plauche, Chairman

vm