



Mobile Planning Commission Results Agenda

July 18, 2024 – 2:00 P.M.

ADMINISTRATIVE

Roll Call

x	Mr. John W. “Jay” Stubbs, Jr., Chairman		Mr. Matt Anderson (MD)
x	Mr. Kirk Mattei, Vice Chairman	x	Mr. Nick Amberger (AO)
x	Ms. Jennifer Denson, Secretary	x	Mr. Josh Woods (CC)
	Ms. Shirley Sessions	x	Mr. Harry Brislin, IV (S)
x	Mr. Larry Dorsey		Mr. Kenny Nichols (S)
x	Mr. Chad Anderson		
(S) Supernumerary (MD) Mayor’s Designee (AO) Administrative Official (CC) City Council Representative			

Staff: Jonathan Ellzey, Jennifer White, George Davis, Victoria Burch, Doug Anderson, Bert Hoffman, Logan Anderson, Shayla Beaco, Jim Rossler

Adoption of the Agenda: Motion to adopt by Nick Amberger. second by Chad Anderson. **Adopted.**

NEW ITEMS

1. SUB-002978-2024

Location: 109 Randolph Street
Subdivision Name: Crichton Subdivision, Resubdivision of Parts of Lots 7 & 8
Applicant / Agent: John Friess, JWTC-Louisiana, LLC
Council District: District 1
Proposal: Subdivision of 1 lot, 0.11± acres

Motion to approve by Jennifer Denson. Second by Nick Amberger. **Approved.**

After discussion the Planning Commission waived Sections 6.C.2(a)(1) and 6.C.2(b)(3) of the Subdivision Regulations and Tentatively Approved the request, subject to the following conditions:

1. Retention of the Randolph Street right-of-way as illustrated on the preliminary plat;
2. Retention of the lot’s size in both square feet and acres, or provision of a table on the Final Plat providing the same information;
3. Retention of the labels illustrating 25-feet from the centerline of Randolph Street;

4. Revision of the Final Plat to illustrate a minimum 5-foot front setback along Randolph Street, in compliance with Article 2 Section 64-2-5.E. of the Unified Development Code for lots zoned R-1 in the Urban sub-district;
5. Compliance with all Engineering comments noted in the staff report;
6. Placement of a note on the Final Plat stating all Traffic Engineering comments noted in the staff report;
7. Compliance with all Urban Forestry comments noted in the staff report; and,
8. Compliance with all Fire Department comments noted in the staff report.

2. SUB-002989-2024

Location: 2216 Roosevelt Avenue
Subdivision Name: Eau-Clair Subdivision, Resubdivision of a Portion of Lots 11, 12, & 13
Applicant / Agent: John Friess, JWTC-Louisiana, LLC
Council District: District 1
Proposal: Subdivision of 1 lot, 0.20± acres

Motion to approve by Nick Amberger. Second by Harry Brislin. **Approved.**

After discussion the Planning Commission waived Section 6.B.9. of the Subdivision Regulations and Tentatively Approved the request, subject to the following conditions:

1. Retention of the right-of-way width of Roosevelt Avenue;
2. Retention of the 5-foot minimum building setback line along Roosevelt Avenue, adjusted to be measured from any required dedication;
3. Revision of the plat to remove the 5-foot building setback line along the side and rear property lines;
4. Retention of the lot size label on the Final Plat, revised to indicate the lot size after any required dedication, or the furnishing of a table on the Final Plat providing the same information;
5. Compliance with all Engineering comments noted in the staff report;
6. Placement of a note on the Final Plat stating all Traffic Engineering comments noted in the staff report;
7. Compliance with all Urban Forestry comments noted in the staff report; and,
8. Compliance with all Fire Department comments noted in the staff report.

3. SUB-002970-2024

Location: 7125 Bellingrath Road
Subdivision Name: Resubdivision of Lot 2B, Resubdivision of Lot 2, Resubdivision of Parcel A, First Baptist Church of Theodore
Applicant / Agent: The First Baptist Church of Theodore (T.J. Debrow, Sr., Agent)
Council District: District 4
Proposal: Subdivision of 2 lots, 10.99± acres

Motion to approve by Nick Amberger. Second by Jennifer Denson. **Approved.**

After discussion the Planning Commission Tentatively Approved the request, subject to the following conditions:

1. Relabel the lots as either “Lot 2-B-1” and “Lot 2-B-2” or “Lot 1” and “Lot 2”;
2. Retention of the 35-foot setback along Old Military Road;
3. Retention of the 45-foot setback along Bellingrath Road;
4. Retention of the lots sizes in square feet and acres on the Final Plat or provision of a table on the Final Plat with the same information;
5. Compliance with all Engineering comments noted in the staff report;
6. Placement of a note on the Final Plat stating the Traffic Engineering comments noted in the staff report;
7. Compliance with all Urban Forestry comments noted in the staff report; and
8. Compliance with all Fire Department comments noted in the staff report.

4. SUB-002987-2024

Location: 2223 River Forest Road
Subdivision Name: River Forest Subdivision, Resubdivision of Lot 32
Applicant / Agent: Robert Willett
Council District: District 3
Proposal: Subdivision of 2 lots, 2.7± acres

Motion to approve by Jennifer Denson. Second by Harry Brislin. **Approved.**

After discussion the Planning Commission waived Sections 6.C.3. and 6.C.9.(b) of the Subdivision Regulations and Tentatively Approved the request, subject to the following conditions:

1. Revision of the plat to correctly label River Forest Road;
2. Retention of the lot sizes in square feet and acres on the Final Plat, or provision of a table on the Final Plat with the same information;
3. Revision of the plat to illustrate the required 25-foot front yard setback along River Forest Road where each lot is at least 60 feet in width;
4. Compliance with all Engineering comments noted in the staff report;
5. Placement of a note on the Final Plat stating the Traffic Engineering comments noted in the staff report;
6. Compliance with all Urban Forestry comments noted in the staff report; and
7. Compliance with all Fire Department comments noted in the staff report

5. SUB-002995-2024

Location: 7335 Old Military Road
Subdivision Name: Chassidy’s Woods Subdivision
Applicant / Agent: Saint Bayou, LLC (Joyce Zirlott, Agent)
Council District: District 4

Proposal: Subdivision of 2 lots, 7.34± acres

Motion to approve by Harry Brislin. Second by Chad Anderson. **Approved.**

After discussion the Planning Commission waived Sections 6.C.1 and 6.C.3 of the Subdivision Regulations and Tentatively Approved the request, subject to the following conditions:

1. Provision of dedication sufficient to provide 30 feet from the centerline of Old Military Road if the existing right-of-way is not 60 feet in width;
2. Provision of a label with the lot sizes in both square feet and acres, or provision of a table on the Final Plat providing the same information, adjusted for dedication;
3. Revision of the Final Plat to illustrate a minimum 25-foot front yard setback along Old Military Road, in compliance with Article 2 Section 64-2-5.E. of the Unified Development Code for lots zoned R-1 in the Suburban sub-district, adjusted for any required dedication;
4. Compliance with all Engineering comments noted in the staff report;
5. Placement of a note on the Final Plat stating all Traffic Engineering comments noted in the staff report;
6. Compliance with all Urban Forestry comments noted in the staff report; and,
7. Compliance with all Fire Department comments noted in the staff report.

6. SUB-002991-2024

Location: 810 Wildwood Drive & 4056 Hillcrest Lane West
Subdivision Name: Vivian’s Homes Subdivision
Applicant / Agent: Vivian Nguyen
Council District: District 4
Proposal: Subdivision of 4 lots, 1.65± acres

Motion to approve by Nick Amberger. Second by Jennifer Denson. **Approved.**

After discussion the Planning Commission waived Section 6.C.3. of the Subdivision Regulations and Tentatively Approved the request, subject to the following conditions:

1. Retention of the right-of-way width of Hillcrest Lane West on the Final Plat;
2. Dedication to provide 25 feet from the centerline of Wildwood Drive, if the existing right-of-way is less than 50 feet;
3. Revision of the plat to label the minimum right-of-way width of Wildwood Drive after any required dedication;
4. Dedication to provide a 25-foot radius curve at the intersection of Hillcrest Lane West and Wildwood Drive;
5. Retention of the 25-foot minimum building setback line along both street frontages on the Final Plat, adjusted to be measured from any required dedication;
6. Revision of the plat to remove the 5-foot side yard and rear yard setback lines on the Final Plat;

7. Retention of the lot size labels in both square feet and acres on the Final Plat, adjusted for any required dedication, or the furnishing of a table on the Final Plat providing the same information;
8. Compliance with all Engineering comments noted in the staff report;
9. Placement of a note on the Final Plat stating all Traffic Engineering comments noted in the staff report;
10. Compliance with all Urban Forestry comments noted in the staff report; and,
11. Compliance with all Fire Department comments noted in the staff report.

7. SUB-002990-2024

Location: 261 Rickarby Street
Subdivision Name: Woodcock Place Subdivision
Applicant / Agent: Terry Harbin
Council District: District 2
Proposal: Subdivision of 22 lots, 4.23± acres

Motion to approve by Harry Brislin. Second by Jennifer Denson. **Approved.**

After discussion the Planning Commission Tentatively Approved the request, subject to the following conditions:

1. Retention of the rights-of-way along all street frontages on the Final Plat;
2. Revision of the Final Plat to depict a minimum five-foot (5') front yard setback or retention of the proposed 25-foot (25') front setback;
3. Retention of the lot sizes in square feet and acres on the Final Plat or provision of a table on the Final Plat with the same information;
4. Removal of all side and rear yard setbacks from the Final Plat;
5. Depiction of all easements on the Final Plat;
6. Placement of a note of the Final Plat stating that no structures are allowed to encroach into an easement without the permission of the easement holder;
7. Removal of all existing structures on the subject site, with all necessary permits, prior to the signing of the Final Plat;
8. Compliance with all Engineering comments noted in the staff report;
9. Placement of a note on the Final Plat stating the Traffic Engineering comments noted in the staff report;
10. Compliance with all Urban Forestry comments noted in the staff report; and
11. Compliance with all Fire Department comments noted in the staff report.

8. MOD-002949-2024

Location: 1480 Satchel Paige Drive
Applicant / Agent: Owen Barry, NF V Acquisitions, LLC
Council District: District 4

Proposal: Major Modification of a previously approved Planned Unit Development allowing multiple buildings on a single building site with shared access and parking.

Motion to approve by Nick Amberger. Second by Josh Woods. **Approved.**

After discussion, the Planning Commission determined the following Findings of Fact to support modification of the previously approved Planned Unit Development:

- a. The request is consistent with all applicable requirements of this Chapter;
- b. The request is compatible with the character of the surrounding neighborhood;
- c. The request will not impede the orderly development and improvement of surrounding property;
- d. Having considered the applicable factors, the request will not adversely affect the health, safety or welfare of persons living or working in the surrounding neighborhood, or be more injurious to property or improvements in the neighborhood;
- e. The request is subject to adequate design standards to provide ingress and egress that minimize traffic hazards and traffic congestion on the public roads;
- f. The request is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas; and
- g. The request shall not be detrimental or endanger the public health, safety or general welfare.
- h. Benefits Consideration. In addition, consideration was given to the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request.

As such, the Planning Commission voted to recommend approval of the Major Planned Unit Development Modification to the City Council, subject to the following conditions:

1. Provision of a photometric plan at the time of permitting illustrating parking lot lighting will comply with the illumination standards of Section 64-3-9.C, and provision of a note on the site plan stating that the site will comply with Section 64-3-9.C of the UDC;
2. Revision of the site plan to illustrate compliance with the bicycle parking standards of Section 64-3-12.A.9;
3. Revision of the site plan to illustrate compliance with the off-street facilities standards of Section 64-3- 12.B, or placement of a note on the site plan stating the hotel will have no conference facilities and no restaurant open to the public;
4. Provision of a note on the site plan stating the site shall comply with the tree planting and landscaping requirements of Article 3, Sections 64-3-7.A.2.(a) and 64-3-7.A.2.(b) of the UDC;
5. Provision of a note on the site plan stating any dumpster placed on the property must meet the enclosure and placement standards of Section 64-3-13.A.4. of the UDC;
6. Revision of the site plan to illustrate the utility and Alabama Power Company easements;
7. Provision of a note on the site plan stating no structure shall be constructed in any easement without permission from the easement holder;

8. Provision of a note on the site plan stating that future development or redevelopment of the site may require additional modifications of the PUD to be approved by the Planning Commission and City Council;
9. Compliance with all Engineering comments noted in the staff report;
10. Compliance with all Traffic Engineering comments noted in the staff report;
11. Compliance with all Urban Forestry comments noted in the staff report;
12. Compliance with all Fire Department comments noted in the staff report;
13. Provision of a revised site plan for review by Planning and Zoning prior to recording, and provision of a copy of the recorded site plan (hard copy and pdf) to Planning and Zoning; and,
14. Full compliance with all municipal codes and ordinances.

9. ZON-UDC-003001-2024

Location:	4589 Hermitage Avenue & 5340 U.S. Highway 90 West
Applicant / Agent:	KD Tillmans Corner, LLC / MS One, LLC
Council District:	District 4
Proposal:	Pre-Zoning Request pursuant to Alabama Code 11-52-85 to pre-zone property to B-3, Community Business Suburban District upon completion of the annexation process.

Motion to approve by Nick Amberger. Second by Josh Woods. **Approved.**

After discussion, the Planning Commission determined the following criteria prevail to support rezoning of the property to B-3, Community Business Suburban District:

- A) Consistency. The proposed amendment is consistent with the Comprehensive Plan; and,
- B) Compatibility. The proposed amendment is compatible with:
 - (1) The current development trends, if any, in the vicinity of the subject property;
 - (2) Surrounding land uses;
 - (3) Would not adversely impact neighboring properties; or
 - (4) Cause a loss in property values.
- C) Health, Safety and General Welfare. The proposed amendment promotes the community's public health, safety, and general welfare.
- D) Capacity. The infrastructure is in place to accommodate the proposed amendment; and,
- E) Benefits Consideration. In addition, consideration was given to the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request.

As such, the Planning Commission voted to recommend approval of rezoning the property to B-3, Community Business Suburban District, subject to the following conditions:

1. Compliance with Traffic Engineering comments noted in the staff report, amended as follows: *There is an existing traffic impact study for this site that was previously required by ALDOT. The improvements shown in the traffic impact study will be required. Speak to ALDOT, City of Mobile, and Mobile County about any additional requirements. Traffic*

control will need to be added for where the one-way section around the building shown on the site plan meets the two-way section. Driveway number, size, location, and design to be approved by City of Mobile Traffic Engineering, ALDOT (where applicable), and Mobile County (where applicable) and conform to AASHTO standards. Any required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Article 3, Section 64-3-12 of the City's Unified Development Code.

2. Full compliance with the Subdivision Regulations and all municipal codes and ordinances.

10.SUB-002968-2024 & SUB-SW-002969-2024

Location: 104 Elmira Street
Subdivision Name: Gritter Family Subdivision
Applicant / Agent: Hunter Lyons, Gulf City Body & Trailer (Patrick Garstecki, Cowles, Murphy, Glover & Associates, Agent)
Council District: District 2
Proposal: Subdivision of 1 lot, 2.66± acres; and a request to waive the construction of sidewalks along Elmira Street, South Royal Street, and Saint Emanuel Street.

Subdivision: Motion to approve by Nick Amberger. Second by Chad Anderson. **Approved.**

After discussion the Planning Commission waived Sections 6.B.3., 6.B.9., 6.C.3., 6.C.7., and 6.C.8. of the Subdivision Regulations and Tentatively Approved the request, subject to the following conditions:

1. Retention of the right-of-way width of Saint Emanuel Street and Elmira Street on the Final Plat;
2. Provision of a note on the Final Plat stating that access to the site is limited to a single street frontage;
3. Revision of the Final Plat to illustrate dedication sufficient to provide a minimum 25-foot corner radius where Saint Emanuel Street and Elmira Street intersect, and where Elmira Street and South Royal Street intersect, unless a waiver of Section 6.C.6 is granted by the Planning Commission;
4. Revision of the Final Plat to illustrate a compliant 25-foot front setback along Elmira Street, and 20-foot side street, side yard setbacks along Saint Emanuel Street and South Royal Street;
5. Provision of the lot sizes in both square feet and acres, adjusted for any required dedication, or the furnishing of a table on the Final Plat providing the same information;
6. Compliance with all Engineering comments noted in the staff report;
7. Placement of a note on the Final Plat stating all Traffic Engineering comments noted in the staff report;
8. Compliance with all Urban Forestry comments noted in the staff report; and,
9. Compliance with all Fire Department comments noted in the staff report.

Sidewalk Waiver: Motion to approve by Nick Amberger. Second by Chad Anderson. **Approved.**

After discussion, the Planning Commission approved the Sidewalk Waiver request.

11.SUB-002996-2024 & SUB-SW-002972-2024

Location: 2301 McFarland Road
Subdivision Name: Anglebrook Subdivision
Applicant / Agent: Heather Bell, Sawgrass Consulting
Council District: District 6
Proposal: Subdivision of 108 lots, 39.86± acres; and a request to waive the construction of a sidewalk along McFarland Road.

Subdivision: Motion to holdover by Jennifer Denson. Second by Kirk Mattei. **Heldover until the September 19, 2024 meeting.**

After discussion, and at the applicant's request, the Planning Commission heldover the request to the September 19th meeting.

Sidewalk Waiver: I Motion to holdover by Jennifer Denson. Second by Kirk Mattei. **Heldover until the September 19, 2024 meeting.**

After discussion, and at the applicant's request, the Planning Commission heldover the request to the September 19th meeting.

12.ZON-UDC-002993-2024 & ZON-CUP-002994-2024

Location: 6411 Howells Ferry Road
Applicant / Agent: Anganette Williams, Branches of Life, LLC (Keri R. Coumanis, Helmsing Leach, P.C., Agent)
Council District: District 7
Proposal: Rezoning from Multi-Family Residential Suburban District (R-3) to Multi-Family Residential Suburban District (R-3), to remove a previous condition of rezoning approval limiting use of the site to an assisted living center; and Conditional Use Permit approval to allow a Community Residence for 16 persons in an R-3, Multi-Family Residential Suburban District.

Kirk Mattei recused.

Rezoning: Motion to approve by Nick Amberger. Second by Josh Woods. **Approved.**

After discussion, the Planning Commission determined the following criteria prevail to support rezoning of the property to R-3, Multi-Family Residential Suburban District:

- A) Consistency. The proposed amendment is consistent with the Comprehensive Plan; and,
- B) Compatibility. The proposed amendment is compatible with:
 - (1) The current development trends, if any, in the vicinity of the subject property;
 - (2) Surrounding land uses;
 - (3) Would not adversely impact neighboring properties; or
 - (4) Cause a loss in property values.
- C) Health, Safety and General Welfare. The proposed amendment promotes the community's public health, safety, and general welfare.
- D) Capacity. The infrastructure is in place to accommodate the proposed amendment; and,
- E) Benefits Consideration. In addition, consideration was given to the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request.

As such, the Planning Commission voted to recommend approval of rezoning the property to R-3, Multi-Family Residential Suburban District, subject to the following conditions:

1. Compliance with all Engineering, Traffic Engineering, Urban Forestry, and Fire Department comments noted in the staff report; and
2. Full compliance with all municipal codes and ordinances.

Conditional Use Permit: Motion to approve by Nick Amberger. Second by Chad Anderson.

Approved.

After discussion, the Planning Commission determined the following Findings of Fact to support approval of the Conditional Use Permit:

1. The request is consistent with all applicable requirements of this Chapter, including:
 - (a) Any applicable development standards; and
 - (b) Any applicable use regulations.
2. The request will not impede the orderly development and improvement of surrounding property; and
3. Having considered the applicable factors, the request will not adversely affect the health, safety or welfare of persons living or working in the surrounding neighborhood, or be more injurious to property or improvements in the neighborhood.
4. The request will be adequately served by water and sanitary sewer services;
5. The request is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas; and
6. The request shall not be detrimental to or endanger the public health, safety or general welfare.
7. The proposed use will meet the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request.

As such, the Planning Commission voted to recommend approval of the Conditional Use Permit to the City Council, subject to the following conditions:

1. Completion of the rezoning process to remove the condition limiting use of the site to an assisted living facility;
2. Use is limited to the existing building;
3. Revision of the site plan to illustrate compliant parking and include a table of the required number of parking spaces for use of the existing facility;
4. Placement of a note on the revised site plan stating any changes in the scope of operations (number of residences, hours of operation, etc.) or to the site (parking layout, number of buildings, etc.), will require additional Conditional Use Permit approval by the Planning Commission and City Council;
5. Compliance with all Engineering comments noted in the staff report;
6. Compliance with all Traffic Engineering comments noted in the staff report;
7. Compliance with all Urban Forestry comments noted in the staff report;
8. Compliance with all Fire Department comments noted in the staff report;
9. Provision of a copy of the recorded site plan (hard copy and pdf) to Planning and Zoning; and,
10. Full compliance with all municipal codes and ordinances.

OTHER BUSINESS

- **Review of Minutes from the following Planning Commission meetings:**

February 3, 2021

February 18, 2021

March 4, 2021

March 18, 2021

April 1, 2021

April 15, 2021

Motion to approve by Jennifer Denson. Second by Harry Brislin. **Approved.**

- **Call for Public Hearing**

Amendments to the Map for Mobile, including the Future Land Use Map and Major Street Plan.

Proposed for the August 15, 2024 Planning Commission meeting.

Motion to approve by Chad Anderson. Second by Nick Amberger. **Approved.**