



Mobile Planning Commission Results Agenda

August 20, 2026 – 2:00 P.M.

ADMINISTRATIVE

Roll Call

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

Staff: George Davis, Jonathan Ellzey, Victoria Burch, Doug Anderson, Stephen Guthrie, Logan Anderson, Marie York, Marion McElroy

Adoption of the Agenda: Motion to adopt by Josh Woods. Second by Kenny Nichols. **Adopted.**

HOLDOVERS

1. ZON-UDC-003780-2026

Location: 1451 Cedar Crescent Drive
Applicant / Agent: John S. Ray, Tenacious 4, LLC
Council District: District 3
Proposal: Rezoning from Multi-Family Residential Suburban District (R-3) to Multi-Family Residential Suburban District (R-3) to remove a previously approved rezoning condition limiting the number of mobile dwellings on the site to 133 units.

Motion to deny Matt Anderson. Second by Harry Brislin. **Denied.**

After discussion the Planning Commission denied the Rezoning request due to the following:

- A) Consistency. The proposed amendment is not consistent with the Comprehensive Plan;
- B) Compatibility. The proposed amendment is not compatible with:
 - (1) The current development trends, if any, in the vicinity of the subject property;
 - (2) Surrounding land uses;
 - (3) Would adversely impact neighboring properties; and

- (4) Cause a loss in property values.
- C) Capacity. The infrastructure is not in place to accommodate the proposed amendment; and,
- D) Change. There are no changed or changing conditions in a particular area making an amendment necessary and desirable.
- 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.

NEW ITEMS

2. SUB-003800-2026

Location: 4035 Dauphin Island Parkway
Subdivision Name: Ulla Compton Subdivision
Applicant / Agent: Ulla J. Compton, Sr.
Council District: District 2
Proposal: Subdivision of 1 lot, 3.71± acres

Motion to approve by Matt Anderson. Second by Kenny Nichols. **Approved.**

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

1. Retention of the 100-foot right-of-way width along Dauphin Island Parkway;
2. Retention of the lot sizes in both square feet and acres, or provision of a table on the Final Plat with the same information;
3. Retention of the 25-foot minimum building setback line along Dauphin Island Parkway;
4. Placement of a note on the Final Plat stating the site is within the Peninsula Overlay and development or redevelopment of the site is subject to the applicable provisions of Article 12 of the Unified Development Code;
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-003804-2026

Location: 6517 Vanderbilt Drive
Subdivision Name: Royal Lee Wilson Subdivision
Applicant / Agent: Royal Wilson
Council District: District 4
Proposal: Subdivision of 1 lot, 0.23± acres

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

After discussion the Planning Commission waived Section 6.C.4. of the Subdivision Regulations (to allow a lot to not abut a public street) and Tentatively Approved the request, subject to the following conditions:

1. Retention of the lot size label in square feet and acres on the Final Plat, or the furnishing of a table on the Final Plat providing the same information;
2. Retention of the 25-foot minimum front yard setback on the Final Plat;
3. Revision of the plat to remove the 5-foot side and rear yard setbacks;
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.

4. SUB-003818-2026

Location: 4801 Halls Mill Road
Subdivision Name: Halls Mill Mixed Use Subdivision
Applicant / Agent: Smith Clark & Associates, LLC
Council District: District 4
Proposal: Subdivision of 1 lot, 3.13± acres

Motion to approve by Matt Anderson. Second by Kenny Nichols. **Approved.**

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

1. Revision of the plat to illustrate dedication sufficient to provide 35 feet from the centerline of Halls Mill Road;
2. Retention of the lot's size in both square feet and acres, adjusted for any required dedication, or the provision of a table on the Final Plat providing the same information;
3. Revision of the Final Plat to illustrate the required 25-foot front yard setback along Halls Mill Road, in compliance with Article 2, Section 64-2-5.E. of the UDC and Section 6.C.8. of the Subdivision Regulations, adjusted for any required dedication;
4. Provision of a note on the Final Plat stating future development of the site may be subject to the applicable requirements of Article 3 of the Unified Development Code;
5. Provision of a note on the Final Plat stating that non-conforming conditions proposed to be retained on the site are subject to the applicable non-conforming provisions of Article 6 of the Unified Development Code;
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.

5. SUB-003822-2026

Location: 1401 & 1403 Dr. Martin Luther King Jr. Avenue
Subdivision Name: Kstylez Beauty Subdivision
Applicant / Agent: Mary Campbell
Council District: District 2
Proposal: Subdivision of 1 lot, 0.08± acres

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

After discussion the Planning Commission waived Section 6.B.9. (for substandard right-of-way), Section 6.C.2.(a)(1) (for substandard lot area) and Section 6.C.2.(b)(4) (for substandard lot width) of the Subdivision Regulations and Tentatively Approved the request, subject to the following conditions:

1. Retention of the lot's size in both square feet and acres, adjusted for any required dedication, or the provision of a table on the Final Plat providing the same information;
2. Revision of the Final Plat to illustrate the required 25-foot front yard setback along Dr. Martin Luther King Jr. Ave, in compliance with Article 2, Section 64-2-13.E. of the UDC and Section 6.C.8. of the Subdivision Regulations, adjusted for any required dedication;
3. Compliance with all Engineering comments noted in the staff report;
4. Placement of a note on the Final Plat stating all Traffic Engineering comments noted in the staff report;
5. Compliance with all Urban Forestry comments noted in the staff report; and,
6. Compliance with all Fire Department comments noted in the staff report.

6. SUB-003824-2026

Location: 5152 Willis Road & 5529, 5535, & 5563 Middle Road
Subdivision Name: CWorks Operating Subdivision
Applicant / Agent: Stephen D. Upton, Theodore Yard II, LLC
Council District: District 4
Proposal: Subdivision of 1 lot, 8.96± acres

Motion to approve by Kenny Nichols. Second by Matt Anderson. **Approved.**

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

1. Dedication to provide 30 feet from the centerline of Willis Road;
2. Dedication to provide 30 feet from the centerline of Middle Road;
3. Illustration of 25-foot minimum front yard setbacks along both Willis Road and Middle Road;
4. Revision of the plat to provide the existing corner radius at the intersection of Willis Road and Middle Road and, if less than 25 feet, dedication sufficient to achieve a 25-foot corner radius;

5. Retention of the lot size in both square feet and acres, or provision of a table on the Final Plat with the same information, adjusted for any required dedication;
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.

7. SUB-003803-2026

Location: 601 Charleston Street & 354 South Warren Street
Subdivision Name: Symone Mixon Subdivision
Applicant / Agent: Sophia Newby
Council District: District 2
Proposal: Subdivision of 2 lots, 0.42± acres

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

After discussion the Planning Commission waived Section 6.C.2.(b)(2) (for substandard lot width), Section 64-2-5.E. (for substandard lot area) and Section 6.C.6. (for corner radius dedication) of the Subdivision Regulations and Tentatively Approved the request, subject to the following conditions:

1. Retention of the 50-foot right-of-way width along Charleston Street;
2. Retention of the 50-foot right-of-way width along South Warren Street;
3. Retention of the lot sizes in both square feet and acres, or provision of a table on the Final Plat with the same information;
4. Retention of the illustrated protection buffer between Lots 1 and 2;
5. Revision of the plat to depict the existing structure on Lot 2, or provision of a note stating that the structure will be removed pursuant to the required demolition permits;
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.

8. SUB-003811-2026

Location: 5654 U.S. Highway 90 West
Subdivision Name: Tread Subdivision
Applicant / Agent: Byrd Surveying, Inc.
Council District: District 4
Proposal: Subdivision of 2 lots, 2.02± acres

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

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

1. Retention of the 180-foot-wide right-of-way along U.S. Highway 90 West and the 60-foot-wide right-of-way along I-10 Industrial Parkway on the Final Plat;
2. Revision of the Final Plat to depict dedication of a 25-foot corner radius at the intersection of U.S. Highway 90 West and I-10 Industrial Parkway unless a waiver of 6.C.6. is recommended by the City Engineer and Traffic Engineer;
3. Retention of the lot sizes in square feet and acres on the Final Plat, adjusted for any required dedication;
4. Retention of the 25-foot setback along U.S. Highway 90 West and I-10 Industrial Parkway in compliance with Section 64-2-14. E. of the Unified Development Code and Section 6.C.8 of the Subdivision Regulations adjusted for any required dedication;
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;
8. Compliance with all Fire Department comments noted in the staff report; and
9. Full compliance with all other codes and ordinances.

9. SUB-003826-2026

Location: 2251 Waterview Lane
Subdivision Name: Dees Subdivision Number Two
Applicant / Agent: Byrd Surveying, Inc.
Council District: District 3
Proposal: Subdivision of 2 lots, 3.58± acres

At the applicant's request the application was withdrawn from consideration.

10.SUB-003827-2026

Location: 53 Foreman Road & 6784 & 6788 Dickens Ferry Road
Subdivision Name: Gracepointe Mobile Subdivision
Applicant / Agent: Byrd Surveying, Inc.
Council District: District 7
Proposal: Subdivision of 2 lots, 5.14± acres

Motion holdover by Jay Stubbs. Second by Matt Anderson. **Heldover until the September 17, 2026, meeting.**

After discussion, the Planning Commission heldover the request to the September 17th meeting to allow the applicant sufficient time to submit concurrent Major Planning Approval Modification and Major Planned Unit Development Modification applications pursuant to Article 5, Section 64-5-1.D. of the Unified Development Code. The applications, including any additional required

information and applicable fees, must be submitted to the Planning and Zoning Department no later than August 31st.

11.SUB-003823-2026

Location: 1312 & 1316 Chamberlain Avenue & 1313 Old Shell Road
Subdivision Name: Chamberlain – Old Shell Subdivision
Applicant / Agent: Byrd Surveying, Inc.
Council District: District 2
Proposal: Subdivision of 3 lots, 0.70± acres

Motion to approve by Matt Anderson. Second by Kenny Nichols. **Approved.**

After discussion the Planning Commission waived Section 6.B.9 of the Subdivision Regulations (for substandard right-of-way width) and Tentatively Approved the request, subject to the following conditions:

1. Retention of the 50-foot-wide right-of-way along Old Shell Road;
2. Retention of the lot sizes in square feet and acres on the Final Plat, adjusted for any required dedication;
3. Revision of the Final Plat to remove the five (5)-foot front yard setbacks and to add a note stating that development of the site shall comply with the provisions of Article 14 of the Unified Development Code, including the front yard dimensional standards applicable within the Historic District overlay;
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;
7. Compliance with all Fire Department comments noted in the staff report; and
8. Full compliance with all other codes and ordinances.

12.SUB-SW-003828-2026

Location: 5301 Moffett Road
Applicant / Agent: Canopy Partners, LLC
Council District: District 7
Proposal: Request to waive the construction of a sidewalk along Moffett Road.

Motion to approve by Josh Woods. Second by Kenny Nichols. **Approved.**

After discussion the Planning Commission approved the Sidewalk Waiver request.

13.MOD-003825-2026

Location: 801 South University Boulevard
Applicant / Agent: University Professional Park (Cummings Architecture Corp., Agent)

Council District: District 5
Proposal: Major Modification of a previously approved Planned Unit Development allowing shared access and parking between multiple building sites to allow construction of a 1,110 square-foot building addition and ten (10) additional parking spaces.

Kirk Mattei recused.

Motion to holdover by Jay Stubbs. Second by Matt Anderson. **Heldover until October 15, 2026, meeting.**

After discussion, and at the applicant's request, the Planning Commission heldover the application to the October 15th meeting to allow the applicant to submit revised plans for the proposed Major Planned Unit Development Modification. Revised plans and supporting documents, additional information, and the applicable notification fees must be submitted to the Planning and Zoning Department by September 14th.

14.MOD-003829-2026

Location: 1891 & 1901 Hurtel Street
Applicant / Agent: City of Mobile (James Roberts, III, Agent)
Council District: District 3
Proposal: Major Modification of a previously approved Planned Unit Development allowing multiple buildings on multiple building sites with shared access between building sites, to remove two (2) lots from the previously approved Planned Unit Development.

Motion to approve by Matt Anderson. Second by Harry Brislin. **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 approved of the Major Planned Unit Development Modification to the City Council, subject to the following conditions:

1. Retain the notes on Lots 2 and 3 stating, "Not to be included in PUD," on the Final PUD Site Plan;
2. Revise the Final PUD Site Plan to label the required 25-foot minimum front yard setback along Hurtel Street;
3. Revise the Final PUD Site Plan to provide the size of each building in square feet;
4. Revise the Final PUD Site Plan to depict the location of any dumpsters or dumpster enclosures, or provide a note stating curbside waste collection is utilized;
5. Revise the Final PUD Site Plan to either depict compliance with the approved landscape and tree planting plan on file with the Planning and Zoning Department or include a note stating that the site shall comply with the applicable tree planting and landscaping requirements of the Unified Development Code;
6. Provide a note on the Final PUD Site Plan stating parking lot lighting shall continue to comply with the applicable illumination standards of the Unified Development Code;
7. Retain the lot area for Lot 1 on the Final PUD Site Plan;
8. Retain the previously recorded 50-foot-wide right-of-way along Hurtel Street on the Final PUD Site Plan;
9. Provide a note on the Final PUD Site Plan stating that any future development, redevelopment, or site modifications affecting Lot 1 may require modification of the Planned Unit Development (PUD) in accordance with Article 5 of the Unified Development Code, unless the PUD is subsequently terminated through the applicable approval process;
10. Comply with all Engineering comments noted in the staff report;
11. Comply with all Traffic Engineering comments noted in the staff report;
12. Comply with all Urban Forestry comments noted in the staff report;
13. Comply with all Fire Department comments noted in the staff report;
14. Submit a revised Final PUD Site Plan for Planning and Zoning Approval prior to its recording in the Mobile County Probate Court, and provide one (1) copy of the recorded site plan (hard copy and/or pdf) to the Planning and Zoning Department; and
15. Fully comply with all municipal codes and ordinances.

15.SUB-003836-2026 & ZON-UDC-003834-2026

Location: 255, 257 & 259 Dogwood Drive
Subdivision Name: SDC-B1 Subdivision
Applicant / Agent: SDC-B1 (Goodwyn Mills Cawood, Agent)
Council District: District 5
Proposal: Subdivision of 1 lot, 2.82± acres; and Rezoning from Single-Family Residential Suburban District (R-1) to Buffer Business Suburban District (B-1).

Kenny Nichols recused.

Subdivision: Motion to holdover by Jay Stubbs. Second by Matt Anderson. **Heldover until the October 15, 2026, meeting.**

After discussion, and at the applicant's request, the Planning Commission held over the application to the October 15th meeting, with any additional information to be submitted to the Planning and Zoning Department no later than October 1st.

Rezoning: Motion to holdover by Jay Stubbs. Second by Matt Anderson. **Heldover until the October 15, 2026, meeting.**

After discussion, and at the applicant's request, the Planning Commission held over the application to the October 15th meeting, with any additional information to be submitted to the Planning and Zoning Department no later than October 1st.

16.ZON-UDC-003831-2026 & ZON-CUP-003832-2026

Location: 2759 Moot Avenue, 2599-2612, 2614, 2616, 2618, 2620, 2622, 2624, 2626-2634, 2636-2639, 2642, 2644, & 2646 Griffith Circle West, 2650-2657 & 2659 Griffith Lane North, 2650-2657, 2658-2660, 2662, & 2664 Griffith Circle South, 1051-1057, 1059, 1061, & 1063 Griffith Circle East, 2650, 2654, & 2656 Halls Mill Road, & 1212 McRae Avenue

Applicant / Agent: Owen Gates, Kinetic Capital IV, LLC (Lieb Engineering Company, LLC, Agent)

Council District: District 3

Proposal: Rezoning from Single-Family Residential Suburban District (R-1) and Multi-Family Residential Suburban District (R-3), to Multi-Family Residential Suburban District (R-3); and Conditional Use Permit approval to allow expansion of an existing mobile home community in an R-3, Multi-Family Residential Suburban District.

Rezoning: Motion to holdover by Jay Stubbs. Second by Matt Anderson. **Heldover until the October 15, 2026, meeting.**

After discussion, the Planning Commission held over the request to the October 15th meeting to allow the applicant an opportunity to meet with staff and revise the application and site plan as follows. All revisions, additional information, and any required applications must be submitted no later than September 14th:

1. Have a Pre-Application meeting with staff;
2. Submit a Subdivision Application to create at least one (1) lot;
3. Revise the application to include Parcel Number R022909510011004.000 and remove the duplicate listing of Parcel Number R02290950011053.000;
4. Revise the site boundaries and setbacks to conform to those of an approved subdivision;

5. Revise the site plan to demonstrate that all structures meet the required setbacks established by the subdivision;
6. Clarify whether the internal streets are dedicated rights-of-way subject to required setbacks or private drives;
7. Revise the existing internal drives to provide a compliant 24-foot width for two-way traffic and meet the standards of the 2021 International Fire Code, Appendix D;
8. Revise the site plan to indicate asphalt, concrete, or another approved paving surface for all parking pads, or obtain a Parking Surface Variance from the Board of Zoning Adjustment;
9. If an on-site office is proposed, provide compliant vehicle and bicycle parking;
10. Revise the site plan to provide public sidewalks within the street rights-of-way, unless a Sidewalk Waiver is granted by the Planning Commission;
11. If an on-site office is proposed, revise the site plan to provide a Pedestrian Connection from the public sidewalk to the office, unless a Sidewalk Waiver is granted by the Planning Commission;
12. Revise the site plan to indicate compliant landscaping and tree plantings and provide the required calculations;
13. Revise the site plan to provide a minimum of 700 square feet of open space per dwelling unit (mobile home); and
14. Revise the site plan to provide a compliant Riparian Buffer along Bolton's Branch.

Conditional Use Permit: Motion to holdover by Jay Stubbs. Second by Matt Anderson. **Heldover until the October 15, 2026, meeting.**

After discussion, the Planning Commission held over the request to the October 15th meeting to allow the applicant an opportunity to meet with staff and revise the application and site plan as follows. All revisions, additional information, and any required applications must be submitted no later than September 14th:

1. Have a Pre-Application meeting with staff;
2. Submit a Subdivision Application to create at least one (1) lot;
3. Revise the application to list Parcel Number R022909510011004.000 and remove the duplicate listing of Parcel Number R02290950011053.000;
4. Revise the site boundaries and setbacks to conform to those of an approved Subdivision;
5. Revise the site plan to indicate that all structures meet the required setbacks of the Subdivision;
6. Clarify whether the internal streets are rights-of-way subject to required setbacks or simply drives;
7. Revise the existing internal drives to a compliant 24-foot width to accommodate two (2)-way traffic and meet the standards of the 2021 International Fire Code, Appendix D;
8. Revise the site plan to indicate asphalt, concrete, or an approved alternative paving surface for all parking pads, or obtain a Parking Surface Variance through the Board of Zoning Adjustment;
9. If an on-site office is to be used, provide compliant vehicle and bicycle parking;

10. Revise the site plan to provide public sidewalks within the street rights-of-way, unless a Sidewalk Waiver is granted by the Planning Commission;
11. If an on-site office is to be used, revise the site plan to provide a Pedestrian Connection from the public sidewalk to the office, unless a Sidewalk Waiver is granted;
12. Revise the site plan to indicate compliant landscaping and tree plantings, with the required calculations provided;
13. Revise the site plan to provide a minimum of 700 square feet of open space per dwelling unit (mobile home); and
14. Revise the site plan to provide a compliant Riparian Buffer along Bolton's Branch.

17.SUB-003830-2026 & MOD-003833-2026

Location: 3201 Airport Boulevard
Subdivision Name: MAEF Center for Advanced Careers / Bel Air Mall Subdivision
Applicant / Agent: Zeke Hudson, Rowe Engineering & Surveying
Council District: District 1
Proposal: Subdivision of 2 lots, 40.49± acres; and Major Modification of a previously approved Planned Unit Development allowing multiple buildings on a single building site with shared access and parking between multiple building sites, to modify lot lines in coordination with an associated subdivision.

Kenny Nichols recused.

Subdivision: Motion to approve by Harry Brislin. Second by Matt Anderson. **Approved.**

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

1. Retention of the right-of-way widths for Airport Boulevard and Bel Air Boulevard;
2. Retention of the lot sizes in both square feet and acres on the Final Plat, or provision of a table on the Final Plat with the same information;
3. Retention of all easements on the plat and the note stating that no structures are to be placed in any easement, without the permission of the easement holder
4. Depiction of the 25-foot minimum building setback line along each street frontage, per 64-2-14.E. of the UDC for lots in B-3 zoning districts;
5. Compliance with all Engineering comments noted in the staff report;
6. Provision 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.

Major Modification: Motion to approve by Matt Anderson. Second by Jennifer Denson. **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 approved of the Major Planned Unit Development Modification to the City Council, subject to the following conditions:

- 1. Revision of the site plan and legal description to include proposed Lot A;
- 2. Retention of the lot sizes in both square feet and acres on the site plan, or provision of a table on the site plan with the same information;
- 3. Depiction of the 25-foot minimum building setback line along each street frontage, per 64-2-14.E. of the UDC for lots in B-3 zoning districts;
- 4. Provision of a note on the site plan stating that any future development or redevelopment of the site may require additional modification of the Planned Unit Development, subject to Planning Commission and City Council approval;
- 5. Completion of the Subdivision process prior to recording the site plan in Probate Court;
- 6. Compliance with all Engineering comments noted in the staff report;
- 7. Compliance with all Traffic Engineering comments noted in the staff report;
- 8. Compliance with all Urban Forestry comments noted in the staff report;
- 9. Compliance with all Fire Department comments noted in the staff report;
- 10. Submittal to and approval by Planning and Zoning of the revised Modified Planned Unit Development site plan prior to its recording in Probate Court, and the provision of one (1) copy of the recorded site plan (hard copy and pdf) to Planning and Zoning; and,
- 11. Full compliance with all municipal codes and ordinances.