



Mobile Planning Commission Results Agenda

November 2, 2023 – 2:00 P.M.

ADMINISTRATIVE

Roll Call

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

Staff: Victoria Burch, Shayla Beaco, Doug Anderson, Margaret Pappas, Logan Anderson, Bert Hoffman, Grace Toledo, Jonathan Ellzey, Jennifer White

Adoption of the Agenda: Motion by Nick Amberger. Second by Matt Anderson. **Adopted.**

Order of hearing: #8, then 1 – 7

HOLDOVERS

1. SUB-002638-2023

Location: 1109, 1111, & 1113 West I-65 Service Road North
Subdivision Name: Harris Subdivision
Applicant / Agent: Mark Harris, Harris Real Estate, LLC
Council District: District 1
Proposal: Subdivision of 3 lots, 6.54± acres

Motion to deny by Matt Anderson. Second by Nick Amberger. **Denied.**

After discussion, the Planning Commission denied the request since no application was submitted for a Major Modification of the previously approved Planned Unit Development. Article 5, Section 64-5-1.D of the Unified Development Code requires all applications related to the same site to be filed and considered concurrently.

NEW ITEMS

2. SUB-002662-2023

Location: 2274 & 2278 Halls Mill Road
Subdivision Name: Elliot's Place Subdivision
Applicant / Agent: Kari Givens, Byrd Surveying, Inc.
Council District: District 3
Proposal: Subdivision of 1 lot, 1.6± acres

Motion to approve by Nick Amberger. Second by Harry Brislin. **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 size labels in square feet and acres, adjusted for dedication, or provision of a table on the Final Plat with the same information;
3. Retention of the 25-foot front yard setback line along Halls Mill Road, adjusted for dedication;
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.

3. SUB-002663-2023

Location: 6065 Rangeline Road
Subdivision Name: KP Rangeline Subdivision
Applicant / Agent: Ken Kleban, Kleban Properties, LLC
Council District: District 4
Proposal: Subdivision of 2 lots, 2± acres

Motion to approve by Matt Anderson. Second by Nick Amberger. **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. Revision of the plat to depict sufficient right-of-way along Rangeline Road;
2. Retention of the lot sizes in both square feet and acre on the Final Plat, or provision of a table on the Final Plat with the same information;
3. Retention of setbacks as shown on the preliminary plat;

4. Revision of the Final Plat to illustrate a cross-access easement, or provision of a recorded legal document with the same information;
5. Placement of a note on the Final Plat stating that no structure shall be constructed in any easement without the permission of the easement holder;
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.

4. SUB-002677-2023

Location: 1106 Ross Street & 1202 Bernice Hudson Drive
Subdivision Name: Bascombe Tract Subdivision, Resubdivision of Lots 1 & 2, Block 16
Applicant / Agent: Kari Givens, Byrd Surveying, Inc.
Council District: District 3
Proposal: Subdivision of 2 lots, 0.35± acres

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

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

1. Retention of all right-of-way widths as depicted on the preliminary plat;
2. Revision of the plat to depict compliance with the Property Lines at Corners provisions of Section 6.C.6 of the Subdivision Regulations;
3. Retention of the lot sizes in both square feet and acres, or the furnishing of a table on the Final Plat providing the same information, adjusted for corner dedication;
4. Retention of at least a 5-foot minimum building setback line along Bernice Hudson Drive and Ross Street, in compliance with Section 64-2-5.E. 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.

5. ZON-UDC-002669-2023

Location: 1065 & 1067 Schillinger Road South
Applicant / Agent: Pratt Thomas, MPWD, LLC
Council District: District 6
Proposal: Rezoning from Single-Family Residential Suburban District (R-1) to Community Business Suburban District (B-3).

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

After discussion, the Planning Commission determined that the following criteria prevail to support the rezoning request:

- A) Consistency. The proposed amendment is consistent with the Comprehensive Plan;
- B) Mistake. There was a mistake or error in the original zoning map; and
- C) Compatibility. The proposed amendment is compatible with:
 - The current development trends, if any, in the vicinity of the subject property;
 - Surrounding land uses;
 - Would adversely impact neighboring properties; or
 - Cause a loss in property values.
- D) Health, Safety and General Welfare. The proposed amendment promotes the community's public health, safety, and general welfare.
- E) Capacity. The infrastructure is in place to accommodate the proposed amendment; and,
- F) Change. Changing conditions in the area make an amendment necessary and desirable.
- G) 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 rezoning request to the City Council, subject to the following conditions:

1. Compliance with all Engineering, Urban Forestry, and Fire Department comments noted in the staff report;
2. Compliance with corrected Traffic Engineering comments (*A traffic impact study will be required for the new proposed fast-food restaurant. Driveway number, size, location, and design to be approved by Traffic Engineering 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.*); and,
3. Full compliance with all municipal codes and ordinances.

6. SUB-002664-2023 & ZON-UDC-002665-2023

Location: 4305 & 4315 Halls Mill Road
Subdivision Name: Kitchens – Persons Subdivision
Applicant / Agent: Kari Givens, Byrd Surveying, Inc.
Council District: District 4
Proposal: Subdivision of 2 lots, 4.1± acres; and Rezoning from Community Business Suburban District (B-3) and Light Industry District (I-1), to Light Industry District (I-1).

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

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

1. Completion of the Rezoning process from B-3 and I-1 to I-1 for proposed Lot 1 prior to signing the Final Plat;
2. Retention of the lot size labels in both square feet and acres, or the furnishing of a table on the Final Plat providing the same information;
3. Dedication to provide 35 feet from the centerline of Halls Mill Road along the site frontage;
4. Retention of the 25-foot minimum building setback line along Halls Mill Road as measured from the dedicated right-of-way;
5. Placement of a note on the Final Plat stating that no structures are allowed in any easement without permission of the easement holder;
6. Provision of a sidewalk along Halls Mill Road at time of new construction/expansion, or submission of a Sidewalk Waiver for the lot;
7. Compliance with all Engineering comments noted in the staff report;
8. Placement of a note on the Final Plat stating all Traffic Engineering comments noted in the staff report;
9. Compliance with all Urban Forestry comments noted in the staff report; and,
10. Compliance with all Fire Department comments noted in the staff report.

Rezoning: Motion to approve by Matt Anderson. Second by Nick Amberger. **Approved.**

After discussion, the Planning Commission determined that the following criteria prevail to support the rezoning request:

- A) Consistency. The proposed amendment is consistent with the Comprehensive Plan;
- B) Compatibility. The proposed amendment is compatible with:
 - o The current development trends, if any, in the vicinity of the subject property;
 - o Surrounding land uses;
 - o Would adversely impact neighboring properties; or
 - o 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) Change. Changed or changing conditions in a particular area make an amendment necessary and desirable.
- F) 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 rezoning request to the City Council, subject to the following conditions:

1. Completion of the Subdivision process for proposed Kitchens-Persons Subdivision;
2. Compliance with all Engineering, Traffic Engineering, Urban Forestry, and Fire Department comments noted in the staff report; and,
3. Full compliance with all municipal codes and ordinances.

7. SUB-002666-2023 & ZON-UDC-002667-2023

Location:	4354 & 4364 Halls Mill Road
Subdivision Name:	HMR One Subdivision
Applicant / Agent:	Kari Givens, Byrd Surveying, Inc.
Council District:	District 4
Proposal:	Subdivision of 1 lot, 1.5± acres; and Rezoning from Single-Family Residential Suburban District (R-1) and Community Business Suburban District (B-3), to Light Industry District (I-1).

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

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

1. Completion of the Rezoning process from B-3 and I-1 to I-1 for proposed Lot 1 prior to signing the Final Plat;
2. Retention of the lot size labels in both square feet and acres, or the furnishing of a table on the Final Plat providing the same information;
3. Dedication to provide 35 feet from the centerline of Halls Mill Road along the site frontage;
4. Retention of the 25-foot minimum building setback line along Halls Mill Road as measured from the dedicated right-of-way;
5. Placement of a note on the Final Plat stating that no structures are allowed in any easement without permission of the easement holder;
6. Provision of a sidewalk along Halls Mill Road at time of new construction/expansion, or submission of a Sidewalk Waiver for the lot;
7. Compliance with all Engineering comments noted in the staff report;
8. Placement of a note on the Final Plat stating all Traffic Engineering comments noted in the staff report;
9. Compliance with all Urban Forestry comments noted in the staff report; and,
10. Compliance with all Fire Department comments noted in the staff report.

Rezoning: Motion to approve by Nick Amberger. Second Matt Anderson. **Approved.**

After discussion, the Planning Commission determined that the following criteria prevail to support the rezoning request:

- A) Consistency. The proposed amendment is consistent with the Comprehensive Plan;
- B) Compatibility. The proposed amendment is compatible with:
 - The current development trends, if any, in the vicinity of the subject property;
 - Surrounding land uses;
 - Would adversely impact neighboring properties; or
 - 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) Change. Whether changed or changing conditions in a particular area make an amendment necessary and desirable.
- F) 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 rezoning request to the City Council, subject to the following conditions:

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

8. SUB-002680-2023 & ZON-UDC-002678-2023

Location: 255, 257 & 259 Dogwood Drive
Subdivision Name: SDC-B1 Subdivision
Applicant / Agent: Gregory B. Saad, Saad Development Corporation
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: Due to a lack of quorum, the request was heldover until the November 16, 2023 meeting.

Rezoning: Due to a lack of quorum, the request was heldover until the November 16, 2023 meeting.