

Mobile Planning Commission Minutes

September 7, 2023 – 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	x	Mr. Nick Amberger (AO)
	Ms. Jennifer Denson, Secretary	x	Mr. Josh Woods (CC)
x	Ms. Shirley Sessions	x	Mr. Harry Brislin, IV (S)
x	Mr. Larry Dorsey	x	Mr. Kenny Nichols (S)
x	Mr. Chad Anderson		
(S) Supernumerary (MD) Mayor’s Designee (AO) Administrative Official (CC) City Council Representative			

Staff: Shayla Beaco, Doug Anderson, Margaret Pappas, Logan Anderson, Bert Hoffman, George Davis, Butch Ladner, Victoria Burch

Adoption of the Agenda.

Motion by Matt Anderson. Second by Nick Amberger. Adopted.

HOLDOVERS

1. SUB-002586-2023

Location: 1154 Athey Road
Subdivision Name: Athey Place Subdivision
Applicant / Agent: Joe Phiem Dinh & Vit Ma Nguyen
Council District: District 7
Proposal: Subdivision of 4 lots, 2.2± acres

The applicant was present and in agreement with the suggested considerations.

No one else was present regarding the application.

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 the names and right-of-way widths of all abutting streets on the Final Plat;

2. Retention of at least a 25-foot minimum building setback line along Athey Road for Lots 1 and 2, and as blocked-out from the South terminus of Barker Drive West for Lots 3 and 4;
3. Retention of at least a 25-foot minimum building setback line on Lot 4 as blocked-out from the West terminus of Middle Ring Court;
4. Revision of the two (2) notes stating "Access to Middle Ring Road is denied" to state "Access to Middle Ring Court is denied";
5. Retention of the lot size labels in both square feet and acres on the Final Plat, or the furnishing of a table on the Final Plat providing the same information;
6. Retention on the Final Plat of the note stating that no structure may be constructed or placed within any easement without the permission of the easement holder;
7. Compliance with all revised Engineering comments noted in the staff report;
8. Retention of the note on the Final Plat stating the 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.

EXTENSIONS

2. SUB-002158-2022

Location: 6712 Old Dobbin Drive North
Subdivision Name: Preserve at Milkhouse Creek Subdivision
Applicant / Agent: Jade Consulting, LLC
Council District: District 6
Proposal: Subdivision of 122 lots, 83.9± acres

The applicant was present and in agreement with the suggested considerations.

No one else was present regarding the application.

Commissioners and Planning staff discussed the extension request, and it was noted that it was the first request for an extension of approval.

Motion to approve by Josh Woods. Second by Matt Anderson. Approved.

After discussion, the Planning Commission approved the extension request, restating the conditions of the original approval, updated to reflect a change to the 2021 International Fire Code:

1. Retention of the right-of-way width label for all streets on the Final Plat;
2. Retention of the 25' minimum building setback line along all street frontages on the Final Plat;

3. Retention of each lot with its size in both square feet and acres, or the furnishing of a table on the Final Plat providing the same information;
4. Revision of Note #10 concerning structures in easements to state on the Final Plat that no structures shall be constructed or placed within any easement without permission of the easement holder;
5. Revision of Note #14 concerning the maintenance of detention facilities, common areas and wetlands to state on the Final Plat that the maintenance of all Common Areas is the responsibility of the property owner(s);
6. Compliance with the Engineering comments: (A. Provide all of the required information on the SUBDIVISION PLAT (i.e., signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors. B. On Sheet 1 of 3 -correct the LOT numbers shown in the DRAWING INDEX. C. On Sheet 1 of 3 – show and label the existing ROW for Blue Ridge Blvd., Old Dobbin Dr. N., Old Dobbin Dr. W., and Harness Way. D. Sheet 2 of 3 - show and label the existing ROW for Blue Ridge Blvd. Old Dobbin Dr. N., and Wagon Tongue Dr. E. Sheet 2 of 3 – Provide the exact measurement “observed” on the property lines that begin/end in Milhouse Creek. The monumentation indicates that an exact measurement should be available. F. Sheet 2 of 3 – Label each and every Common Area. G. Sheet 3 of 3 – show and label the existing ROW for Old Dobbin Dr. W., and Harness Way. H. Sheet 3 of 3 – Show and label the BFE (Base Flood Elevation) on each lot (LOT 41, 42, & 43) that contains an AE, V, or X (shaded) flood zone designation. BFE for that portion is elevation 51’. I. Sheet 2 & 3 - Check and revise the distances shown on the Plat and in the legal description. Four (4) legs do not show the bearing, and one (1) does not show the distance. J. Sheet 2 & 3 - Check the monumentation and written bearing and distance for the part that includes the western property line along Milkhouse Creek. The distances shown and written should be exact distances since the distance is between sets of capped rods. K. Label the different Common Areas on each of the three (3) sheets. L. Revise the plat to label the size (acres and square feet) of each Common Area. Place it underneath the Common Area label. M. Provide a note that a 25' riparian buffer may be required, during development, along the edge of anything considered by ADEM to be a water of the state. N. All subdivision corners (exterior and interior) are required to be set prior to the City Engineer signing the PLAT. O. Email a pdf copy of the FINAL SUBDIVISION PLAT and LETTER OF DECISION to the Permitting Engineering Dept. for review at land.disturbance@cityofmobile.org prior to obtaining any signatures. No signatures are required on the drawing.);
7. Placement of a note on the Final Plat stating the Traffic Engineering comments: (A traffic impact study has been previously conducted for this site and no off-site improvements are warranted based on the findings in the study. Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.);
8. 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 [Act 929 of the 1961 Regular Session of the Alabama Legislature (Acts

1961, p. 1487), as amended, and City Code Chapters 57 and 65]. Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from undeveloped residential sites, developed residential sites in historic districts, and all commercial sites will require a tree removal permit.); and

9. Compliance with the Fire Department comments: (All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2021 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial *buildings* and 600' of *sprinkled commercial buildings*.).

NEW ITEMS

3. SUB-002602-2023

Location: 5575 Commerce Boulevard East
Subdivision Name: The Mobile Commerce Park Subdivision, Phase 1, Resubdivision of Lots 2-A and 2-B
Applicant / Agent: Allen Rogers, Telecad Wireless Site Design, Inc.
Council District: District 4
Proposal: Subdivision of 2 lots, 6.65± acres

The applicant was present and in agreement with the suggested considerations.

No one else was present regarding the application.

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

After discussion, the Planning Commission waived Section 6.C.4. of the Subdivision Regulations and Tentatively Approved the request, subject to the following conditions:

1. Revision of the plat to label all abutting streets with their right-of-way widths or illustrate dedication sufficient to provide 25 feet from the centerline of Commerce Boulevard East;
2. Retention of at least a 25-foot front yard setback along Commerce Boulevard East;
3. Removal of side or rear setbacks from the Final Plat;
4. Revision of the plat to include lot size labels in both square feet and acres on the Final Plat, 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 no structure may be constructed or placed within any easement without the permission of the easement holder;
6. Completion of the Variance process to allow for a reduced lot size in a B-5, Office Distribution district;
7. Compliance with all Engineering comments noted in the staff report;
8. Placement of a note on the Final Plat stating the 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.

4. SUB-SW-002609-2023

Location: 5400 Rangeline Road
Applicant / Agent: Ryan Smigiel, BKT Enterprise, LP
Council District: District 4
Proposal: Request to waive the construction of sidewalks along Rangeline Road, Todd Boulevard, and Commerce Boulevard East.

Kyle Hoyt was present for the applicant regarding the request and discussed the issues with installing a sidewalk along the abutting streets. He noted that there were no other sidewalks in the area. He also stated that they did not wish to disturb the vegetative buffer along Todd Boulevard, adjacent to the single-family homes located on that street.

Jill Phillips was present in support of the request. She stated that she used to live in the abutting residential subdivision and supported the waiver.

No one else was present regarding the application.

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

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

5. SUB-SW-002610-2023

Location: 5195 Motel Court
Applicant / Agent: Hiren Desai, Tillman Lodging, LLC
Council District: District 4
Proposal: Request to waive the construction of a sidewalk along Motel Court.

Alex Grace was present for the applicant regarding the request and discussed the development of the Hyatt Hotel. He stated that there were no other sidewalks on the abutting developed properties, thus there wouldn't be any connectivity. He stated that if a sidewalk in the right-of-way were required, then a sidewalk leading from the front entrance of the hotel to the sidewalk along the street would be required. He also noted that there was no public transportation serving the site.

Commissioners and Planning staff discussed the sidewalk connectivity requirements of the Unified Development Code. They also discussed the portion of the right-of-way where the sidewalk would be required.

No one else was present regarding the application.

Motion to approve by Matt Anderson. Second by Chad Anderson. Approved. Commissioner Woods opposed the motion.

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

6. MOD-002607-2023

Location: 186 Stanton Road
Applicant / Agent: RGH Stanton, LLC (Stephen Howle, Agent)
Council District: District 2
Proposal: Modification to vacate a previously approved Planned Unit Development allowing multiple buildings on a single building site.

The applicant was present and in agreement with the suggested considerations.

No one else was present regarding the application.

Motion to approve by Matt Anderson. Second by Nick Amberger. Approved. Commissioner Sessions recused from the application.

After discussion, the Planning Commission approved the request to vacate the previously approved Planned Unit Development allowing multiple buildings on a single building site.

7. SUB-002557-2023 & MOD-002587-2023

Location: 6301 Grelot Road
Applicant / Agent: Christ United Methodist Church Subdivision, Resubdivision of Lot 1, Resubdivision of Lot 2A
Council District: District 6
Proposal: Subdivision of 2 lots, 19.3± acres; and Modification of a previously approved Planned Unit Development to be consistent with the proposed subdivision.

The applicant was present and in agreement with the suggested considerations.

No one else was present regarding the application.

Subdivision.

Motion to approve by Shirley Sessions. Second by Matt Anderson. Approved.

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

1. Retention of the lot size labels in both square feet and acres, or provision of a table on the Final Plat with the same information;
2. Retention of the right-of-way widths for each abutting street, as depicted on the preliminary plat;
3. Retention of the 25-foot setback along each abutting street;
4. Extension of the access easement along Hillcrest Road to include both proposed access points from Lot B;
5. Retention of all easements and placement of a note stating that no structures are allowed in any easements without the easement holder's permission;
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.

Major PUD Modification.

Motion to approve by Matt Anderson. Second by Shirley Sessions. Approved.

After discussion, the Planning Commission determined that the following criteria prevail to support the Major Planned Unit Development (PUD) Modification request:

- 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. 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 will 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;
- G. The request shall not be detrimental or endanger the public health, safety or general welfare; and
- H. Benefits Consideration. The request will be in the City's and the larger community's best interests.

Based on the above criteria, the Planning Commission voted to recommend Approval of the Major PUD Modification to the City Council, subject to the following conditions:

1. Provision of a note on a recorded site plan stating future development or development of the site may require additional Modification of the PUD to be approved by the Planning Commission and City Council;
2. Provision of a note on a recorded site plan stating any changes to the scope of operations or the building footprint for the church located at 6101 Grelot Road will require Modification to the Previously Approved Planning Approval;
3. Extension of the access easement along Hillcrest Road to include both proposed access points from Lot B;
4. Removal of the note stating "Any dumpster to be installed in compliance with Section 64-4.D.P. of the Zoning Ordinance";
5. Revision of notes on the site plan referencing tree planting and landscape area requirements, in addition to parking screening, to reflect the applicable standards in the UDC;
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 provision of a copy of the recorded site plan (hard copy and .pdf) to Planning and Zoning; and,
11. Full compliance with all municipal codes and ordinances.

OTHER BUSINESS

- **Call for Public Hearing**

Future Land Use Map and Major Street Plan Amendments for Annexed Areas.

Planning staff requested that the Commission consider a motion for a Call for Public Hearing regarding the Future Land Use Map and Major Street Plan amendments for the recently annexed areas, with the Public Hearing to be held at the October 5, 2023 Planning Commission meeting.

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

- **General Discussion.**

Commissioners and staff discussed general issues relating to the use of the iPads, reports and viewing maps.

Minutes approved: July 17, 2025



Jennifer Denson, Secretary



John W. "Jay" Stubbs, Jr., Chairman