

Mobile Planning Commission Minutes

December 21, 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)
x	Ms. Jennifer Denson, Secretary	x	Mr. Josh Woods (CC)
	Ms. Shirley Sessions		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: Jennifer White, Jonathan Ellzey, George Davis, Victoria Burch, Doug Anderson, Margaret Pappas, Logan Anderson, Shayla Beaco

Adoption of the Agenda.

Motion to adopt by Jennifer Denson. Second by Matt Anderson. Adopted.

NEW ITEMS

1. SUB-002732-2023

Location: Northwest corner of Kooiman Road and Todd Acres Drive
Subdivision Name: JAGR Kooiman Subdivision
Applicant / Agent: Jason Scholtz, JAGR Kooiman, LLC
Council District: District 4
Proposal: Subdivision of 1 lot, 10.23± 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 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 Kooiman Road and Todd Acres Drive, as depicted on the preliminary plat;
2. Retention of the 25-foot corner radius at the intersection of Kooiman Road and Todd Acres Drive;
3. 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;
4. Retention of setbacks as shown on the preliminary plat;
5. Revision of the plat to correctly label Todd Acres Drive (not Todd Acres Road);
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.

2. SUB-002748-2023

Location: 556 Shady Oak Drive
Subdivision Name: Shady Place Subdivision
Applicant / Agent: Bryan P. Maisel, Bryan Maisel Builders, LLC
Council District: District 7
Proposal: Subdivision of 1 lot, 0.16± acres

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

No one else was present regarding the application.

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

After discussion, the Planning Commission waived Sections 6.C.2.(a)(1) and 6.C.7. of the Subdivision Regulations and Tentatively Approved the request, subject to the following conditions:

1. Retention of right-of-way along Shady Oaks Drive on the Final Plat;
2. Revision of the plat to depict sufficient right-of-way along West I-65 Service Road North;
3. Retention of the setback as shown on the preliminary plat along Shady Oaks Dr on the Final Plat;
4. Revision of the plat to illustrate a compliant front yard setback along West I-65 Service Road North;
5. Retention of the lot's size in both square feet and acres, or the furnishing of a table on the Final Plat providing the same information;
6. Placement of a note on the Final Plat stating that the lot is denied access to West I-65 Service Road North;
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.

3. SUB-002745-2023

Location: East side of Halls Mill Road, 1,103'± South of Pleasant Valley Road, extending to the East terminus of Karagan Drive

Subdivision Name: Cross Pond Subdivision, First Addition, Resubdivision of Lot 2

Applicant / Agent: Legendary Investment Ventures/Dismuke Transport (J. Casey Pipes, Helmsing Leach, P.C., Agent)

Council District: District 3

Proposal: Subdivision of 2 lots, 5.21± acres

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

No one else was present regarding the application.

Motion to approve by Jennifer Denson. Second by Matt Anderson. Approved. Commissioner Mattei recused from the application.

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

1. Revision of the Final Plat to illustrate a 25-foot minimum building setback line on Lot B as blocked-out from the East terminus of Karagan Drive;
2. Revision of the Final Plat to illustrate the 25-foot minimum building setback line for Lot A as blocked-out from where the lot is at least 60 feet wide;
3. Provision of a note on the Final Plat stating that Lot A cannot be further resubdivided until such time that direct access to a compliant, fully improved roadway can be provided;
4. 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;
5. Retention of the recorded 25-foot buffer strip at the South end of Lot A on the Final Plat;
6. Compliance with all Engineering comments noted in the staff report;
7. Placement of a note on the Final Plat stating the 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-002746-2023

Location: 2558 & 2560 Hillcrest Road
Subdivision Name: Cottage Hill Heights Subdivision, Resubdivision of Lots 1 & 2
Applicant / Agent: Hoan Nguyen
Council District: District 6
Proposal: Subdivision of 3 lots, 2.16± 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 Josh Woods. 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 at least a 25-foot front yard setback along Hillcrest Road;
2. Removal of side or rear setbacks from the Final Plat;
3. Retention of a 100-foot right-of-way for Hillcrest Road on the Final Plat;
4. Retention of the Final Plat to depict lot size labels in both square feet and acres, 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.

5. SUB-002733-2023

Location: South terminus of McNeill Avenue
Subdivision Name: Lots 1-3, Block 138 and Lots 15-18 & The North 20' of Lot 14, Block 139 Pinehurst, Delany's Addition to Spring Hill Resubdivision of and Addition to
Applicant / Agent: Mike Daniels, BDMD, LLC
Council District: District 6
Proposal: Subdivision of 6 lots, 1.44± acres

Mike Daniels, the applicant, was present and requested clarification on the proposed consideration condition #1 regarding the technical requirements of Section 5.C. of the Subdivision Regulations.

Planning staff explained the proposed condition and the associated requirements.

No one else was present regarding the application.

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

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

1. Revision of the Final Plat to meet the technical requirements of Section 5.C. of the Subdivision Regulations;
2. Retention of dedication to provide a 60-foot radius cul-de-sac at the South terminus of McNeill Avenue;
3. Retention of a 25-foot minimum building setback line for Lots 1A, 2A, 5A and 6A on the Final Plat as measured from any right-of-way dedication;
4. Retention of a 40-foot minimum building setback line for Lots 3A and 4A on the Final Plat as measured from any right-of-way dedication;
5. Revision of the plat to label each lot with its size 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. Placement of a note on the Final Plat stating that no structure may be constructed or placed within any easement without permission of the easement holder;
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.

6. MOD-002751-2023

Location: 6109 Howells Ferry Road
Applicant / Agent: Claude & Melody Hall
Council District: District 7
Proposal: Major Modification of a previously approved Planned Unit Development to allow 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 Jennifer Denson. Approved.

After discussion, the Planning Commission determined that the following criteria prevail to support the Major Planned Unit Development 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:
 - i. In making this determination, the Planning Commission and City Council shall consider the location, type and height of buildings or structures, the type and extent of landscaping and screening, lighting, hours of operation or any other conditions that mitigate the impacts of the proposed development; and
 - ii. Includes adequate public facilities and utilities;
- 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.

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

- 1. Revision of the site plan to address Fire Department requirements regarding fire hose reach and apparatus staging;
- 2. Revision of the site plan to illustrate all existing and proposed parking spaces;
- 3. Revision of the site plan to illustrate a sidewalk along Howells Ferry Road;
- 4. Revision of the site plan to illustrate a Protection Buffer where the site abuts residentially zoned property, in compliance with Article 3, Section 64-3-8 of the UDC
- 5. Placemen of a note on the revised site plan stating future development or redevelopment of the site may require additional modifications of the PUD to be approved by the Planning Commission and City Council;
- 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.

7. SUB-002741-2023 & SUB-SW-002742-2023

Location: 1300 & 1310 Schillinger Road South
Subdivision Name: Magnolia Pointe Subdivision
Applicant / Agent: J. Casey Pipes, Helmsing Leach, P.C.
Council District: District 6
Proposal: Subdivision of 3 lots, 34.5± acres; and request to waive the construction of a sidewalk along Schillinger Road South.

Casey Pipes of Helmsing Leach was present regarding the requests. He discussed the applications, and noted that prior development and open drainage ditches leave no room for sidewalk construction. He also stated that Alabama Power and MAWSS easements limit their ability to provide a sidewalk.

Commissioners and the applicant discussed the sidewalk waiver request. It was noted that there were no plans at the moment that would require the provision of a sidewalk. It was also noted that once a waiver is granted, it preempts future requirement of a sidewalk.

The Chairman inquired with Planning staff about other sidewalks in the vicinity, to which staff noted there were no other sidewalks. Staff also suggested that rather than approving or denying one or both of the waivers, the Commission could consider tabling either or both requests so that they could be considered at a future time when a proposed development triggers consideration for a sidewalk.

Mr. Pipes agreed with the idea of tabling a sidewalk waiver request rather than denying a request.

No one else was present regarding the applications.

Subdivision.

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

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

1. Revision of the Final Plat to label Schillinger Road South and Grelot Road with 100-foot right-of-way widths;

2. Revision of the Final Plat to illustrate a minimum of 50 feet to the centerlines of both Schillinger Road South and Grelot Road;
3. Retention of the lot sizes in both square feet and acres on the Final Plat, or the furnishing of a table on the Final Plat providing the same information;
4. Revision of the Final Plat to illustrate a 25-foot minimum building setback line along Schillinger Road South for Lot 1 and a 25-foot minimum building setback line along both Schillinger Road South and Grelot Road for Lot 3;
5. Revision of the Final Plat to illustrate the minimum building setback line for Lot 2 to be located 25 feet from the point where the lot “balloons” out to a minimum width of 60 feet;
6. Provision 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;
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.

Sidewalk Waiver.

Motion to approve the request to waive construction of a sidewalk along Grelot Road by Josh Woods. Second by Chad Anderson. Approved. Commissioner Mattei recused from the application.

Motion to table the request to waive construction of a sidewalk along Schillinger Road South by Josh Woods. Second by Matt Anderson. Tabled. Commissioner Mattei recused from the application.

After discussion, the Planning Commission approved the Sidewalk Waiver request to waive construction of a sidewalk along Grelot Road. The Planning Commission tabled the request to waive construction of a sidewalk along Schillinger Road South.

8. SUB-002734-2023, MOD-002739-2023 & MOD-002740-2023

Location: 3851 Government Boulevard
Subdivision Name: The Pines at Heron Lakes Subdivision
Applicant / Agent: Ken Kleban, Kleban Properties, LLC
Council District: District 4
Proposal: Subdivision of 82 lots, 18.76± acres; Modification of a previously approved Planned Unit Development to allow multiple buildings on a single building site; and Modification of a Previously Approved Planning Approval to allow the expansion of an existing country club in an R-1, Single-Family Residential Suburban District.

Planning staff advised the Commission that revised information had been provided by the applicant prior to the meeting, to address concerns noted in the staff report and thus avoid a holdover of the applications. Staff explained the revisions, and stated that revised considerations were provided to the Commission in case they wished to approve the requests. Staff noted that the revisions would not change the number of proposed lots.

The applicant was present and in agreement with the suggested considerations based upon the submitted revisions.

No one else was present regarding the applications.

Subdivision.

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

After discussion, the Planning Commission waived Sections 6.B.9. and 7.C.4. of the Subdivision Regulations and Tentatively Approved the request, subject to the following conditions:

1. Rezoning of the B-3 portion of the site, prior to signing of the Final Plat;
2. Revision of the plat to illustrate the remainder of the parent parcels as common areas within the subdivision;
3. Revision of the plat to provide names for each street;
4. Revision of the plat to depict 25-foot corner radii where Lots 8 and 20 abut the intersection of the proposed private street;
5. Revision of the plat to depict adequate turnaround diameters where each private street will terminate, as required by the City Engineer;
6. Revision of the plat to illustrate the applicable utility easements;
7. Placement of a note on the revised plat stating that the streets are privately maintained and that there shall be no public right-of-way, per Sections 9.D.1(b)(5) and 9.D.1(b)(7) of the Subdivision Regulations;
8. Placement of a note on the revised plat stating that if the private streets are ultimately dedicated for public use and maintenance, 100-percent of the cost of the improvements required to bring the streets up to the prevailing standards shall be assessed to the property owner(s) at the time the private streets are dedicated, and that said assessment shall run with the land to any subsequent property owners, per Section 9.D.1(b)(9) of the Subdivision Regulations;
9. Provision and approval of the required private street legal document in compliance with Section 9.D.1(b)(8), prior to signing of the Final Plat;
10. Revision of the plat to illustrate all lots will be at least 60 feet wide;
11. Revision of the plat to provide the sizes of each lot in square feet and acres, adjusted for any lot width adjustments;

12. Revision of the plat to illustrate the 25-foot minimum front yard setback on each lot;
13. Revision of the plat to provide the size of the proposed common areas, in square feet and acres;
14. Placement of a note on the revised plat stating that the maintenance of all common areas is the responsibility of the property owners and not the City of Mobile, in compliance with Section 2.A. of the Subdivision Regulations;
15. Revision of the plat to correct the lot numbering;
16. Compliance with all Engineering comments noted in the staff report;
17. Placement of a note on the Final Plat stating all Traffic Engineering comments noted in the staff report;
18. Compliance with all Urban Forestry comments noted in the staff report; and,
19. Compliance with all Fire Department comments noted in the staff report.

Planned Unit Development Modification.

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 Major Planned Unit Development 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:
 - i. In making this determination, the Planning Commission and City Council shall consider the location, type and height of buildings or structures, the type and extent of landscaping and screening, lighting, hours of operation or any other conditions that mitigate the impacts of the proposed development; and
 - ii. Includes adequate public facilities and utilities;
- 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.

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

1. Revision of the site plans to provide names for each street;
2. Revision of the site plans to depict adequate turnaround diameters where each private street will terminate, as required by the City Engineer;
3. Revision of the site plans to illustrate the applicable utility easements;
4. Revision of the site plans to illustrate the 25-foot minimum front yard setback on each lot
5. Placement of a note on the revised site plans stating future development or redevelopment of the site may require additional modifications of the PUD and Planning Approval to be approved by the Planning Commission and City Council;
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 PUD and Planning Approval site plans prior to their recording in Probate Court, and provision of a copy of the recorded site plans (hard copy and pdf) to Planning and Zoning; and,
11. Full compliance with all municipal codes and ordinances.

Planning Approval Modification.

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 Major Planned Unit Development 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:
 - i. In making this determination, the Planning Commission and City Council shall consider the location, type and height of buildings or structures, the type and extent of landscaping and screening, lighting, hours of operation or any other conditions that mitigate the impacts of the proposed development; and
 - ii. Includes adequate public facilities and utilities;
- 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.

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

1. Revision of the site plans to provide names for each street;
2. Revision of the site plans to depict adequate turnaround diameters where each private street will terminate, as required by the City Engineer;
3. Revision of the site plans to illustrate the applicable utility easements;
4. Revision of the site plans to illustrate the 25-foot minimum front yard setback on each lot
5. Placement of a note on the revised site plans stating future development or redevelopment of the site may require additional modifications of the PUD and Planning Approval to be approved by the Planning Commission and City Council;
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 PUD and Planning Approval site plans prior to their recording in Probate Court, and provision of a copy of the recorded site plans (hard copy and pdf) to Planning and Zoning; and,
11. Full compliance with all municipal codes and ordinances.

9. SUB-002696-2023 & MOD-002743-2023

Location: 5041 Rangeline Crossing Drive
Subdivision Name: Rangeline Crossing Subdivision, Phase Four, Resubdivision of Lots 6-11
Applicant / Agent: Kari Givens, Byrd Surveying, Inc. & Daniel Lamay (Melissa Hadley, Goodwyn Mills Cawood, Agent)
Council District: District 4
Proposal: Subdivision of 3 lots, 44.15± acres; and Modification of a previously approved Planned Unit Development to allow shared access between multiple lots.

Planning staff clarified the purposes of the applications. One of the requests was to

remove Yogger Pass as a private street, and instead designate it as an interior access road serving the proposed development. Thus Engineering's comment "B" on the subdivision was no longer applicable.

Planning staff also addressed the concerns regarding Traffic Engineering's comments and requirements for the final plat. The Traffic Engineer provided additional clarification, stating that the off-site improvements be completed with Phase 1, if any changes are made for future phases then the Traffic Impact Study may need to be updated, and then the standard comments regarding driveway number, size, location and design.

Finally, Planning staff addressed the signage concerns. Staff stated that three (3) signs would be allowed, as previously approved.

The Melissa Hadley of Goodwill Mills and Cawood, representing the application, requested to see the proposed changes to conditions in writing. She stated that they wanted to know exactly what would be required. She also stated that the plat did not depict any phases.

Staff noted that the proposed changes to comments would appear in the Letter of Decision.

Commissioners discussed the traffic issues in the area with the Traffic Engineer. The Traffic Engineer explained the various factors influencing the traffic problems, and the various parties, including the Alabama Department of Transportation, who would need to be involved in any significant improvements to the area.

The applicant also noted the comments regarding limiting the development's access to Rangeline Crossing Drive to emergency access only. She asked that this be removed. The Traffic Engineer addressed the concern, and stated that the comment could be removed.

Commissioners discussed the access issues with staff regarding the current application, versus the prior version of the application that was previously approved.

No one else was present regarding the applications.

Subdivision.

Motion to approve with revised Engineering and Traffic Engineering comments by Nick Amberger. Second by Matt Anderson. Approved.

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

1. Retention of the existing right-of-way information on the Final Plat;

2. 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, adjusted for dedication;
3. Depiction of the 25' minimum building setback along Halls Mill Road and Rangeline Crossing Drive;
4. Retention of the 40' minimum building setback line along Demetropolis Road;
5. Provision of a note on the Final Plat stating no structures shall be constructed in any easement without permission from the easement holder;
6. Compliance with the Engineering Subdivision comments noted in the staff report, amended as follows: 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) *Revise NOTE #1 to read: "As shown on the 1984 aerial photo (FLIGHT 21 - #88) LOTS 1, 2, and 3 will receive historical credit of existing (1984) impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control) as follows: LOT 1 – NONE, LOT 2 – NONE, and LOT 3 - NONE."* C) *Revise NOTE #5 – change "ALL PROPOSED..." to "ALL EXISTING AND PROPOSED..."*. D) *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 noted in the staff report, amended as follows: *Off-site improvements are required for the development of Lot 1. Any changes to the proposed improvements during the development of Lots 2 or 3 may require a revised Traffic Impact Study to be reviewed and approved by Traffic Engineering. Driveway number, size, location, and design are subject to the approved PUD for this site and shall be approved by ALDOT (where applicable) and 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;*
8. Compliance with all Urban Forestry comments noted in the staff report;
9. Compliance with all Fire Department comments noted in the staff report; and,
10. Completion of the Subdivision process prior to issuance of any building permits.

Planned Unit Development Modification.

Motion to approve with revised Engineering and Traffic Engineering comments by Nick Amberger. Second by Matt Anderson. Approved.

After discussion, the Planning Commission determined that the following criteria prevail to support the Major Planned Unit Development 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:
 - i. In making this determination, the Planning Commission and City Council shall consider the location, type and height of buildings or structures, the type and extent of landscaping and screening, lighting, hours of operation or any other conditions that mitigate the impacts of the proposed development; and
 - ii. Includes adequate public facilities and utilities;
- 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.

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

1. Depiction of the 25' minimum building setback along Halls Mill Road and Rangeline Crossing Drive;
2. Retention of the 40' minimum building setback line along Demetropolis Road;
3. Placement of a note stating that no structures are allowed in any easements without the permission of the easement holder;
4. Retention of the note on the site plan to depict that all trash compactors will be connected to sanitary sewer and have a compliant enclosure;
5. Coordination with staff to insure tree plantings are spaced appropriately;
6. Provision of a compliant photometric site plan at the time of permitting;
7. Site is limited to three (3) freestanding signs;
8. Provision of a note on the site plan stating future development or redevelopment of the property may require approval by the Planning Commission and City Council;
9. Submittal to and approval by Planning and Zoning of the Major Modification of the Planned Unit Development site plan prior to recording in Probate Court, and the provision of a copy of the recorded site plan (hard copy and .pdf) to Planning and Zoning;
10. Compliance with all Engineering comments noted in the staff report for the PUD modification;
11. Placement of a note on the PUD site plan stating the Traffic Engineering comments noted in the staff report, amended as follows: *Off-site improvements are required for the*

development of Lot 1. Any changes to the proposed improvements during the development of Lots 2 or 3 may require a revised Traffic Impact Study to be reviewed and approved by Traffic Engineering. Driveway number, size, location, and design are subject to the approved PUD for this site and shall be approved by ALDOT (where applicable) and 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.;

12. Compliance with all Urban Forestry comments noted in the staff report;
13. Compliance with all Fire Department comments noted in the staff report; and,
14. Full compliance with all municipal codes and ordinances.

OTHER BUSINESS

Minutes approved: August 21, 2025



Jennifer Denson, Secretary



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