

Mobile Planning Commission Minutes

January 18, 2024 – 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	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: George Davis, Jonathan Ellzey, Victoria Burch, Doug Anderson, Margaret Pappas, Logan Anderson, Bert Hoffman, Shayla Beaco

Adoption of the Agenda.

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

NEW ITEMS

1. SUB-002790-2023

Location: 210 South Washington Avenue & 708 Canal Street
Subdivision Name: Hargrove Estates Subdivision, Resubdivision of Lot 1
Applicant / Agent: Joe Collins
Council District: District 2
Proposal: Subdivision of 1 lot, 0.91± acres

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

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.2(b)(1) of the Subdivision Regulations and Tentatively Approved the request, subject to the following conditions:

1. Retention of the existing right-of-way along South Washington Avenue;

2. Depict that there is currently 60-feet from the subject site to the centerline of Canal Street;
3. Depiction of the 12-foot maximum setback;
4. 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;
5. Submittal of an application to the Consolidated Review Committee (CRC) to insure the parking area complies with DDD regulations and security of any additional approvals as may be necessary (such as variances) prior to the recording of the Final Plat;
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;
9. Compliance with all Fire Department comments noted in the staff report; and
10. Completion of the Subdivision process prior to the application for permits.

2. SUB-002777-2023

Location: 5377 Moffett Road
Subdivision Name: The Hive Subdivision
Applicant / Agent: Imran Balbale (D. Todd Shirk, Agent)
Council District: District 7
Proposal: Subdivision of 11 lots, 3.2± acres

Todd Shirk was present to represent the application and in agreement with the suggested conditions.

Loreal Kelly was present to speak against the application and stated that her property was adjacent to the application property, but they did not receive notice.

Planning staff stated that notifications be sent to adjacent property owners and stated that Ms. Kelly should have received notice.

Legal counsel stated that the Commission could not consider the application since Ms. Kelly did not receive proper notification. However, people in attendance could speak now or wait until the February public hearing.

Brenda Gay, Alice Bloxton and Kenneth Luker were present to speak against the application and expressed concerns regarding traffic, crime, noise, and storm drainage.

Commissioner Brislin asked if this application opened up McIntyre Drive, if it would stay a closed street or would it add a turn-around.

Planning staff stated that McIntyre would stay closed but would need a turnaround since fire trucks and garbage trucks otherwise have to back out of the street.

Todd Shirk, the representative for the application, stated that the applicant would be willing to swap the exits around and use Moffett Road as the entrance and not McIntyre Drive.

Planning staff stated that the Fire Department is in favor of the cul-de-sac due to turn-around issues. The Subdivision Regulations also require the continuation of the street.

Commissioner Amberger discussed the issue of having two entrances and exits for the property.

Commissioner Woods stated the City Council was aware of the housing shortage and spoke with Planning staff about waivers, as well as compliance requirements with the Alabama Department of Transportation (ALDOT), Engineering and Fire Department for additional approvals.

Commissioner Mattei discussed the developer and neighbors meeting to discuss the concerns.

Motion to holdover by Josh Woods. Second by Matt Anderson. Heldover.

After discussion, the Planning Commission heldover the request until the February 22nd meeting to allow time for public hearing notices to be sent to all abutting and adjacent property owners.

It was also stated that fees for the public hearing notices must be paid by February 1st for the request to be placed on the February 22nd agenda.

3. SUB-002658-2023 (Holdover) & MOD-002791-2023

Location: 3107 Halls Mill Road
Subdivision Name: The Resubdivision of Southern Oaks Subdivision
Applicant / Agent: FGP Manufacturing, LLC
Council District: District 3
Proposal: Subdivision of 3 lots, 16.42± acres; and Modification of a previously approved Planning Approval allowing a popsicle manufacturing facility in a building larger than 50,000 square feet in a B-3, Community Business Suburban District.

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

No one else was present regarding the application.

Subdivision.

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

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

1. Revision of the plat to depict the existing right-of-way along Halls Mill Road;
2. Revision of the plat to correctly label “McVay Drive North”;
3. 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;
4. Revision of the Final Plat to illustrate a cross-access easement between Lots A and B, or provision of a recorded legal document with the same information;
5. Revision of the plat to illustrate the 25-foot minimum building setback line along each street frontage, per Section 64-2-13.E. and 64-2-14.E. of the UDC for lots in B-2 and B-3 zoning districts;
6. Compliance with all Engineering comments noted in the staff report;
7. Provision 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.

Planning Approval Modification.

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

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

- 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 considered 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 Findings of Fact, the Planning Commission voted to recommend Approval of the Major Planning Approval Modification to the City Council, subject to the following conditions:

1. Provision of a note on the recorded site plan stating future development, redevelopment, or any changes to the use and/or scope of operations of an existing use of the site may require additional modification of the Planning Approval to be approved by the Planning Commission and City Council;
2. Revision of the site plan to illustrate a cross-access easement between Lots A and B, or provision of a recorded legal document with the same information;
3. Revision of the site plan to provide a table noting the off-street parking requirements of Table 64-3-12.1 of Article 3 of the UDC for each use of the site, along with the number of parking spaces provided;
4. Provision of a note on the recorded site plan stating that a buffer in compliance with the applicable standards of Article 3, Section 64-3-8 of the UDC is required to be provided and/or maintained where any portion of the subject site abuts a residentially zoned property;
5. Revision of the site plan to illustrate the 25-foot minimum building setback line along each street frontage, per Section 64-2-13.E. and 64-2-14.E. of the UDC for lots in B-2 and B-3 zoning districts;
6. Revision of the site plan to correctly label "McVay Drive North";
7. Revision of the site plan to illustrate the two (2) protected Live Oak trees, depicting their sizes (68" and 74" DBH or larger due to growth) and noting their preservation status;
8. Revision of the site plan to illustrate any existing or proposed dumpster pads, or placement of a note on the recorded site plan stating curbside waste services will be utilized;
9. Compliance with all Engineering comments noted in the staff report;
10. Provision of a note on the Final Plat stating all Traffic Engineering comments noted in the staff report;
11. Compliance with all Urban Forestry comments noted in the staff report; and
12. Compliance with all Fire Department comments noted in the staff report.

4. SUB-002700-2023 & MOD-002781-2023

Location: 3674 & 3680 Dauphin Street
Subdivision Name: College Park Northwestern Quadrangle Subdivision, Unit 2, Resubdivision of Lots 1-A & 1-B into Lots 1-A-1 & 1-B-1
Applicant / Agent: ABML, LLC (Evan Geerts, Duplantis Design Group, PC, Agent)
Council District: District 7
Proposal: Subdivision of 2 lots, 1.8± acres; and Modification of a previously approved Planned Unit Development allowing shared access and parking between multiple building sites.

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

No one else was present regarding the application.

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. Retention of the right-of-way widths along Du Rhu Drive and Dauphin Street;
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;
3. Retention of the 25-foot minimum building setback line along Du Rhu Drive and Dauphin Street, as required by Section 64-2-13.E. of the Unified Development Code;
4. Revision of the Final Plat to illustrate modified ingress/egress and parking easements between Lot 1-A-1 and Lot 1-B-1;
5. Revision of the Final Plat to provide any proposed ingress/egress easement between Lot 1-A-1 and Lot 2 abutting to the East;
6. Retention of a note on the Final Plat stating no structures shall be constructed in any easement without permission from 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.

Planned Unit Development Modification.

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

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

- A. The request is consistent with all applicable requirements of this Chapter;
- B. The request is compatible with the character of the surrounding neighborhood;
- C. The request will not impede the orderly development and improvement of surrounding property;
- D. 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 considered 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;

Based on the Findings of Fact, 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 Final PUD site plan to reflect any/all revisions to easements as a result of the associated Subdivision request;
- 2. Retention of a note on the Final Plat stating no structures shall be constructed in any easement without permission from the easement holder;
- 3. Revision of the site plan to provide a table noting the off-street parking requirements of Table 64-3-12.1 of Article 3 of the UDC for each use of the site, along with the number of parking spaces provided;
- 4. Retention of the 25-foot minimum building setback line along Du Rhu Drive and Dauphin Street, as required by Section 64-2-13.E. of the Unified Development Code;
- 5. Retention of the lot size labels in both square feet and acres, or provision of a table on the Final PUD site plan with the same information;
- 6. Provision of the building sizes in square feet on the Final PUD site plan;
- 7. Retention of the rights-of-way along all streets on the Final PUD site plan;

8. Provision of a note on the Final PUD 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 revised Modified Planned Unit Development site plan prior to their recording in Probate Court, and the provision of a copy of the recorded site plan (pdf) to Planning and Zoning; and,
10. Full compliance with all municipal codes and ordinances.

OTHER BUSINESS

- **Public Hearing**

Planning staff explained the proposed amendment to Article 13, Section 64-13-2 of the Unified Development Code to provide that the ten (10) acre minimum contiguous land area required for Planned Developments shall not apply to the Village Center, Neighborhood Center, and Neighborhood General sub-districts of the Spring Hill Overlay.

Commissioners asked about the need for the change, and why there was a ten-acre minimum to begin with.

Staff noted that the ten-acre minimum applies only west of Interstate 65, while the five-acre minimum applies east of Interstate 65. The Village of Spring Hill requested a change to the regulations to reduce the requirement, to only apply to the Spring Hill Overlay area.

Commissioners stated that the proposed zero-acre minimum for Spring Hill seemed problematic.

Legal counsel noted that no existing properties in Spring Hill could meet the existing Planned Development area requirements, hence the desire to reduce the minimum area requirement.

A motion was made by Nick Amberger and seconded by Josh Woods to approve the request. Commissioners Matt Anderson and Kirk Mattei voted in opposition.

A motion was made by Kirk Mattei to holdover the amendment and was seconded by Matt Anderson.

After discussion, the Planning Commission heldover the public hearing to consider an amendment to Article 13, Section 64-13-2 of the Unified Development Code to provide that the ten (10) acre minimum contiguous land area required for Planned Developments shall

not apply to the Village Center, Neighborhood Center, and Neighborhood General sub-districts of the Spring Hill Overlay, to the February 22nd meeting.

- **Election of Officers**

Nick Amberger motioned to nominate:

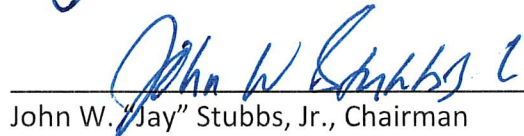
- Jay Stubbs, Jr. as Chairman of the Planning Commission,
- Kirk Mattei as Vice Chairman of the Planning Commission, and
- Jennifer Denson as Secretary of the Planning Commission.

The motion was seconded by Matt Anderson. Approved.

Minutes approved: September 18, 2025



Jennifer Denson, Secretary



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