

Mobile Planning Commission Minutes

March 21, 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)
	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: Butch Ladner, George Davis, Victoria Burch, Doug Anderson, Margaret Pappas, Logan Anderson, Bert Hoffman, Shayla Beaco

Adoption of the Agenda.

Motion to adopt by Harry Brislin. Second by Josh Woods. Adopted.

HOLDOVERS

1. SUB-002810-2024

Location: 1852 & 1856 Butler Street
Subdivision Name: Butler-Esau Subdivision
Applicant / Agent: Lawrence Cain (Nick Hadji, SLSCO, Ltd., Agent)
Council District: District 1
Proposal: Subdivision of 2 lots, 0.25± acres

Planning staff, legal counsel and Commissioners discussed the application. Staff explained the changes between the prior meeting and today’s meeting. The history of the site was explained, as was the staff recommendation. It was noted that the application as revised would only create one lot from the existing tax parcel.

Nick Hadji, agent, and Lawrence Cain, property owner, were present to speak in favor of the application. They made the following points:

- They propose to build one house on the existing tax parcel;
- There are two houses on the property, and the owner wants to keep one of them and repair it, with the other one being replaced with a new house.

Commissioners and the property owner discussed the application.

No one else was present regarding the application.

Planning staff explained how the Commission could consider the application.

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

After discussion, the Planning Commission waived Sections 6.B.9., 6.C.1., and 6.C.6. of the Subdivision Regulations and Tentatively Approved the request, subject to the following conditions:

1. Removal of at least one (1) of the dwellings from the proposed lot;
2. The illustration of the required five (5) foot minimum building setback line along Butler Street;
3. Revision of the plat to label the lot with its size in both square feet and; and
4. Full compliance with Engineering comments, amended as follows: (FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review): 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) Provide and label the monument set or found at each subdivision corner. C) Add a graphic scale. D) Label the Vicinity Map and the site within the Vicinity Map. E) Add a north arrow, scale, and legible street names to the vicinity map. F) Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. G) Provide the Surveyor's Certificate. H) Are the names and mailing addresses on SHEET 2 OF 2 necessary on the Final Plat? I) REVISED - As shown on the 1984 aerial photo LOT 1 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 – 2,600 SF. J) Add a note that a Land Disturbance permit will be required for any land disturbing activity in accordance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. K) Add a note that the approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. L) Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of new development or construction, unless a sidewalk waiver is approved. M) Add a note that all existing and proposed detention facilities, common areas, and

wetlands shall be the responsibility of the Property Owner(s), and not the responsibility of the City of Mobile. N) Add a note that all easements shall remain in effect until vacated through the proper Vacation process. 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).

2. SUB-002792-2023 & MOD-002804-2024

Location: 3201 Airport Boulevard, 410 & 450 Bel Air Boulevard
Subdivision Name: Resubdivision of Lot 1 of the Resubdivision of Lot 2 of Bel Air Mall Subdivision
Applicant / Agent: Felix Reznick, 4th Dimension Properties, LLC
Council District: District 5
Proposal: Subdivision of 2 lots, 43.01± acres; and Modification of a previously approved Planned Unit Development allowing multiple buildings on a single building site, and shared access and parking between multiple building sites.

Jerry Luker, Speaks and Associates, was present for the application and in agreement with the suggested considerations.

No one else was present regarding the application.

Subdivision.

Motion to approve by Matt Anderson. Second by Harry Brislin. Approved. Kenny Nichols recused from the application.

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 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;
2. 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
3. Retention 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. Compliance with all Engineering comments noted in the staff report;
5. Provision 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; and,
7. Compliance with all Fire Department comments noted in the staff report.

Planned Unit Development Modification.

Motion to approve by Nick Amberger. Second by Harry Brislin. Approved. Kenny Nichols recused from the application.

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; and
- f. The request is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas.

As such, 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, including the legal description, to clearly depict all parcels included in the Modification of the PUD;
2. 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;
3. Revision of the site plan to clearly label adjacent lots and their associated Subdivision names as well as map book and page or instrument number;
4. Compliance with all Engineering comments noted in the staff report;
5. Provision 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. 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.

NEW ITEMS

3. SUB-002845-2024

Location: 5425 U.S. Highway 90 West
Subdivision Name: Tillman's Square Subdivision, Resubdivision of Lots 2 & 4
Applicant / Agent: Jefferson Bennett, Swinstorage Tillman's Corner AL, LLC
Council District: District 4
Proposal: Subdivision of 2 lots, 7.75± 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.9. of the Subdivision Regulations and Tentatively Approved the request, subject to the following conditions:

1. Retention of the right-of-way along U.S. Highway 90 West as depicted on the preliminary plat;
2. Provision of dedication sufficient to provide 30 feet from the centerline of Wiley Orr Road;
3. Retention of at least a 30-foot front yard setback along U.S. Highway 90 West on the Final Plat;
4. Revision of the plat to illustrate a 25-foot front yard setback along Wiley Orr Road, adjusted for any required dedication;
5. Retention of the lot sizes in both square feet and acres, or provision of a table on the Final Plat providing the same information, adjusted for any required dedication;
6. 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;
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.

4. SUB-002856-2024

Location: 100 Hardwood Lane
Subdivision Name: Waterways Subdivision
Applicant / Agent: B D P, LLC (Jeremy Milling, Milling Commercial Realty, Inc., Agent)

Council District: District 2
Proposal: Subdivision of 2 lots, 26.97± 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 Harry Brislin. Approved.

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

1. Revision of the plat to illustrate that Lot 2 will abut or otherwise have access to the private street;
2. Revision of the plat to illustrate the applicable utility easements, per Section 9.1(b)(4);
3. Placement of a note on the revised plat stating that the street is 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);
4. Placement of a note on the revised plat stating that if the private street is ultimately dedicated for public use and maintenance, 100-percent of the cost of the improvements required to bring the street up to the prevailing standards shall be assessed to the property owner(s) at the time the private street is dedicated, and that said assessment shall run with the land to any subsequent property owners, per Section 9.D.1(b)(9);
5. 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;
6. Revision of the plat to illustrate the 25-foot minimum front yard setback where each lot is at least 60 feet wide, exclusive of the private street easement;
7. Retention of a note on the Final Plat stating no structure shall be constructed or placed within any easement without the permission of the easement holder;
8. Revision of the plat to correctly label "Chickasabogue Creek";
9. Compliance with all Engineering comments noted in the staff report;
10. Placement 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.

5. SUB-002857-2024

Location: 1582 Leroy Stevens Road
Subdivision Name: Griffin Place Subdivision
Applicant / Agent: John T. Griffin, JTG Investments, LLC

Council District: District 6
Proposal: Subdivision of 2 lots, 1.46± acres

Tony Cooper and Gerald Smith were present to represent the application and made the following points:

- The property owner wishes to sell proposed Lot 1;
- They have a potential buyer already lined up;
- They can revise the plat to provide a “flag pole” for easement B; and
- The existing buildings prevent the provision of a compliant two-way access drive.

Commissioners and Planning staff discussed the case and the issues with the applicant’s representatives.

No one else was present regarding the application.

Motion to holdover by Matt Anderson. Second by Nick Amberger. Heldover until the April 18, 2024 meeting.

After discussion, the Planning Commission heldover the request to the April 18th meeting, with revisions submitted no later than April 1st, to allow the applicant to address the following:

1. Revise the plat to illustrate ingress/egress easements that are at least 24 feet in width; or
2. Revise the plat to depict a flag lot that would allow proposed Lot 2 to have frontage on Leroy Stevens Road.

6. SUB-002855-2024

Location: 916 Church Street
Subdivision Name: The Residences at Oakleigh Subdivision
Applicant / Agent: Trae Corte
Council District: District 4
Proposal: Subdivision of 7 lots, 0.7± acres

Trae Corte was present to represent the application and made the following points:

- Requested a waiver of the corner radius requirement for Lot 1 – would like to leave at 15 feet;
- Requested a waiver of the width to depth ratio; and
- Noted that lots will access a parking area by a common driveway.

Commissioners, the applicant, Planning and Engineering staff discussed the application.

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 Sections 6.C.3., 6.C.6., and 6.C.2(b) of the Subdivision Regulations and Tentatively Approved the request, subject to the following conditions:

1. Retention of rights-of-way along Church Street and Marine Street on the Final Plat;
2. Revision of the plat to remove the 5-foot front yard setback line along Church Street and Marine Street;
3. Placement of a note on the Final Plat stating that the site shall comply with the provisions of the Historic District Overlay (HDO) in Article 14 of the UDC, including the front yard dimensional standards for lots in the HDO;
4. Provision of the lot sizes in both square feet and acres, adjusted for any required dedication, 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. 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. MOD-002859-2024

Location: 6109 Howells Ferry Road
Applicant / Agent: Claude & Melody Hall
Council District: District 7
Proposal: Major Modification of 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 Nick Amberger. Second by Matt Anderson. 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; and
- 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.
- 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 approval of the Major Planned Unit Development Modification to the City Council, subject to the following conditions:

- 1. Revision of the site plan to illustrate the required landscape islands every 12 new contiguous parking spaces, in compliance with Article 3, Section 64-3-7.A.3(c)(2).c.;
- 2. 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;
- 3. Revision of the site plan to reflect compliance with the development standards of Article 3 of the UDC, as listed on Page 4 of the staff report (or placement of notes on the site plan stating the site will comply with all listed development requirements, with each one listed), and submission of the site plan for review by Planning and Zoning prior to its recording in Mobile County Probate Court;
- 4. Placement 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;
- 5. Compliance with all Engineering comments noted in the staff report;
- 6. Compliance with 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;
- 9. 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,
- 10. Full compliance with all municipal codes and ordinances.

8. MOD-002864-2024

Location: 145, 151, 176, 195, 350, & 400 Dunlap Drive
Applicant / Agent: Joey Nunally, Austal USA (Stephen Delahunty, PE, Sawgrass Consulting, Agent)
Council District: District 2
Proposal: Major Modification of a previously approved Planned Unit Development allowing multiple buildings on multiple parcels, with shared access and parking.

Joey Nunally of Austal USA was present for the application and in agreement with the suggested considerations. He noted that the application was required due to the future interstate bridge.

No one else was present regarding the application.

Motion to approve by Matt Anderson. Second by Nick Amberger. Approved. Kirk Mattei recused.

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; and
- 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.
- 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 approval of the Major Planned Unit Development Modification to the City Council, subject to the following conditions:

1. Approval from Traffic Engineering and Engineering for the 99 parking spaces within the right-of-way along Dunlap Drive;
2. Placement of a note on the recorded site plan stating that full compliance with the UDC landscaping and tree planting requirements for the Outfit Yard, including but not limited to the provision of adequate parking with required safety aisles, landscaping and tree plantings, surfacing and bicycle parking will be provided when the level of improvements exceed 50% of the existing site (at the time of recording);
3. Placement of a note on the recorded site plan stating that complaint parking calculations for the over-all site will be provided as each proposed building is submitted for approval (based on the square footage of office space and the number of manufacturing/warehousing employees);
4. Revision of the site plan to provide pedestrian safety aisles (64-3-12.A.5.(i) and (j)) within all parking areas;
5. Revision of the site plan to provide bicycle parking as per 64-3-12.A.9.(b);
6. Revision of the site plan to indicate compliant dumpsters, or the placement of a note on the site plan stating that dumpsters will not be utilized and refuse collection will be either via curbside service or private can collection;
7. Compliance with all Engineering comments noted in the staff report;
8. Placement of a note on the recorded site plan stating the Traffic Engineering comments noted in the staff report;
9. Compliance with all Urban Forestry comments noted in the staff report;
10. Compliance with all Fire Department comments noted in the staff report;
11. 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
12. Full compliance with all municipal codes and ordinances.

9. ZON-UDC-002847-2024

Location: 5672 Commerce Boulevard West
Applicant / Agent: Ritesh Gupta, Pinnacle, LLC (Eric J. Adams, Clark, Geer, Latham & Associates, Agent)
Council District: District 4
Proposal: Rezoning from Office Distribution District (B-5), to Heavy Industry District (I-2).

Charles Tischer of Clark, Geer, Latham and Associates was present for the application and requested a holdover.

No one else was present regarding the application.

Motion to holdover by Matt Anderson. Second by Kenny Nichols. Heldover until the April 18, 2024 meeting.

After discussion, and at the applicant's request, the Planning Commission heldover the request to the April 18th meeting.

10. SUB-002854-2024 & SUB-SW-002853-2024

Location: 2200 West I-65 Service Road South
Subdivision Name: Fireside of Mobile Subdivision
Applicant / Agent: Kari Givens, Byrd Surveying, Inc.
Council District: District 4
Proposal: Subdivision of 2 lots, 18.53± acres; and request to waive the construction of a sidewalk along West I-65 Service Road South.

Jerry Byrd of Byrd Surveying and Charles Tischer of Clark, Geer, Latham and Associates were present for the application and made the following points:

- Did not see a reason to provide a sidewalk along the I-65 Service Road, as there is a paved trail along Montlimar Creek to the rear that would provide similar access; and
- Gated access is proposed to the paved trail along Montlimar Creek to allow residents of the proposed apartment complex access to the trail.

No one else was present regarding the application.

Subdivision.

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 right-of-way width(s) as depicted on the preliminary plat;
2. Retention of the lot sizes in both square feet and acres, or the provision of a table on the Final Plat with the same information;
3. Retention of the 25-foot front yard setback along West I-65 Service Road South;
4. Retention of a note on the Final Plat stating no structures shall be constructed in any easement without permission of the easement holder;
5. Revision of the Final Plat to illustrate a cross-access easement, or provision of a recorded legal document with the same information, prior to signing 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; and,

9. Compliance with all Fire Department comments noted in the staff report.

Sidewalk Waiver.

Motion to approve by Kirk Mattei. Second by Harry Brislin. Nick Amberger and Josh Woods voted in opposition. Approved.

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

11. SUB-002846-2024 & ZON-UDC-002848-2024

Location: 5632 & 5572 Commerce Boulevard West
Subdivision Name: The Mobile Commerce Park Subdivision, Phase 1, Resubdivision of Lots 16 & 17
Applicant / Agent: Kari Givens, Byrd Surveying, Inc. & Ritesh Gupta, Pinnacle, LLC (Eric J. Adams, Clark, Geer, Latham & Associates, Agent)
Council District: District 4
Proposal: Subdivision of 1 lot, 6.34± acres; and Rezoning from Office Distribution District (B-5) and Heavy Industry District (I-2), to Heavy Industry District (I-2).

Charles Tischer of Clark, Geer, Latham and Associates was present for the application and requested a holdover.

No one else was present regarding the application.

Subdivision.

Motion to holdover by Matt Anderson. Second by Nick Amberger. Heldover until the April 18, 2024 meeting.

After discussion, and at the applicant's request, the Planning Commission heldover the request to the April 18th meeting.

Rezoning.

Motion to holdover by Matt Anderson. Second by Nick Amberger. Heldover until the April 18, 2024 meeting.

After discussion, and at the applicant's request, the Planning Commission heldover the request to the April 18th meeting.

12. SUB-002850-2024 & ZON-UDC-002851-2024

Location: 1100 Spring Hill Avenue
Subdivision Name: Striker's Club, Inc. Subdivision
Applicant / Agent: Kari Givens, Byrd Surveying, Inc.
Council District: District 2
Proposal: Subdivision of 1 lot, 0.6± acres; and Rezoning from Two-Family Residential Urban District (R-2), Buffer Business Urban District (B-1), and Community Business Urban District (B-3), to Community Business Urban District (B-3).

Jerry Byrd of Byrd Surveying was present for the applications and made the following points:

- The subdivision of the property necessitates the rezoning request; and
- The intent is to build additional parking.

No one else was present regarding the application.

Subdivision.

Motion to approve by Nick Amberger. Second by Matt Anderson. Approved. Larry Dorsey recused.

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

1. Retention of the right-of-way width(s) as depicted on the preliminary plat;
2. Dedication sufficient to provide a 25-foot corner radius at the intersection of Spring Hill Avenue and North Pine Street, in compliance with Section 6.C.6. of the Subdivision Regulations, unless a smaller radius is approved by the City Engineer and the Planning Commission waives Section 6.C.6.;
3. 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 with the same information;
4. Revision of the plat to illustrate a front yard setback compliant with the underlying zoning district and sub-district along Spring Hill Avenue and North Pine Street, adjusted for any required dedication;
5. Completion of the Rezoning request to eliminate the potential for a split-zoned lot;
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.

Rezoning.

Motion to approve by Nick Amberger. Second by Matt Anderson. Approved. Larry Dorsey recused.

After discussion, the Planning Commission determined the following criteria prevail to support rezoning of the property to B-3, Community Business Urban District:

- 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. Changed or changing conditions in a particular 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 rezoning the property to B-3, Community Business Urban District, 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.

13. SUB-002858-2024 & ZON-UDC-002860-2024

Location: 3300 Knollwood Drive, and 3401 & 3421 Medical Park Drive
Subdivision Name: The Knollwood Place Subdivision
Applicant / Agent: Kari Givens, Byrd Surveying, Inc.
Council District: District 6

Proposal: **Subdivision of 2 lots, 18.91± acres; and Rezoning from Single-Family Residential Suburban District (R-1), Buffer Business Suburban District (B-1), and Neighborhood Business Suburban District (B-2), to Neighborhood Business Suburban District (B-2).**

Jerry Byrd of Byrd Surveying was present for the applications and stated that he agreed with the holdover recommendation.

No one else was present regarding the application.

Commissioners and staff discussed the area subject to rezoning and if Medical Park Drive was a public or private right-of-way.

Subdivision.

Motion to holdover by Matt Anderson. Second by Kenny Nichols. Heldover until the April 18, 2024 meeting. Kirk Mattei recused.

Due to issues regarding notifications, the Planning Commission heldover the request to the April 18th meeting.

Rezoning.

Motion to holdover by Matt Anderson. Second by Kenny Nichols. Heldover until the April 18, 2024 meeting. Kirk Mattei recused.

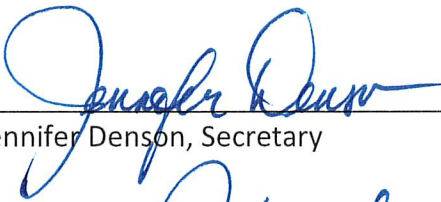
Due to issues regarding notifications, the Planning Commission heldover the request to the April 18th meeting.

OTHER BUSINESS

- **Filing Deadline / Meeting Date Schedule**

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

Minutes approved: September 18, 2025



Jennifer Denson, Secretary



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