

Mobile Planning Commission Minutes

November 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)
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: Jonathan Ellzey, George Davis, Michelle French, Victoria Burch, Doug Anderson, Stephen Guthrie, Logan Anderson, Shayla Beaco

Adoption of the Agenda.

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

HOLDOVERS

1. SUB-003093-2024 & MOD-003094-2024

Location: 6301 Grelot Road
Subdivision Name: Christ United Church West Subdivision
Applicant / Agent: Kari Givens, Byrd Surveying, Inc.
Council District: District 6
Proposal: Subdivision of 3 lots, 17.85± acres; and Major Modification of a previously approved Planned Unit Development allowing multiple buildings on a single building site and shared access between multiple building sites.

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

The plat was revised since the prior meeting;

Sent letters to the other four owners, but have only received a reply from one of them;

Does not think that the applications should be held up due to the lack of response from the other owners;

Would like Lots 2 and 3 removed from the Planned Unit Development (PUD), as no development is proposed at this time and do not wish to have future development constrained by the PUD process;

Legal counsel, the applicant and Commissioners discussed removal of Lots 2 and 3 from the PUD and how that would affect access to the lots. There was also discussion about the other properties within the PUD for which property owner approval has not been received.

Brad Boland of Christ United Church was present for the application and stated that they were in support of the applications.

No one else was present regarding the applications.

During the deliberation session, legal counsel and Commissioners discussed the ownership consent issue and the removal of lots from the PUD. Legal counsel stated that moving forward on the PUD without consent would, in this case since the changes are minor and do not impact the other properties, would be OK. Regarding the lot removal issue, it was determined that the PUD application did not include a request to remove lots from the PUD, thus the question was not relevant to the applications at hand.

Subdivision.

Motion to approve by Matt Anderson. Second by Kirk Mattei. Approved.

After discussion the Planning Commission Approved the request.

Planned Unit Development Modification.

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

After discussion the Planning Commission voted to recommend approval of the Major Planned Unit Development Modification to the City Council.

NEW ITEMS

2. SUB-002965-2024

Location:	7451 Old Military Road
Subdivision Name:	Nelson Addition Subdivision
Applicant / Agent:	Ryan Compton, BHL Federal
Council District:	District 4

Proposal: Subdivision of 1 lot, 0.36± 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.

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. Retention of the access parcel and easement recording data on the Final Plat;
2. Revision of the plat to illustrate the 25-foot minimum building setback line where the lot is at least 60 feet wide;
3. Removal of the side and rear yard setback lines from the Final Plat;
4. Retention of the Lot Table providing the lot size in both square feet and acres on the Final Plat, or labeling of the lot to provide the same information;
5. Compliance with all Engineering comments noted in the staff report;
6. Placement of a note on the Final Plat stating all Traffic Engineering comments noted in the staff report;
7. Compliance with all Urban Forestry comments noted in the staff report; and,
8. Compliance with all Fire Department comments noted in the staff report.

3. SUB-003105-2024

Location: 8000 Foxfire Drive
Subdivision Name: Foxfire II Subdivision
Applicant / Agent: Kari Givens, Byrd Surveying, Inc.
Council District: District 7
Proposal: Subdivision of 1 lot, 20.31± acres

Gerald Byrd of Byrd Surveying was present for the application 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 Final Plat to label the lot's size in both square feet and acres, or provision of a table on the Final Plat with the same information;
2. Revision of the Final Plat to illustrate a 15-foot setback where the ingress/egress easement abuts the subject site, in compliance with Article 2, Section 64-2-17.E. of the Unified Development Code;
3. Compliance with all Engineering comments noted in the staff report;
4. Placement of a note on the Final Plat stating all Traffic Engineering comments noted in the staff report;
5. Compliance with all Urban Forestry comments noted in the staff report; and,
6. Compliance with all Fire Department comments noted in the staff report.

4. SUB-003116-2024

Location: East side of Wolf Ridge Road, 790'± South of Holleman Drive
Subdivision Name: Wolf Ridge Business Park Subdivision, Phase Two
Applicant / Agent: John G. Walton, Wolf Ridge Properties, LLP
Council District: District 1
Proposal: Subdivision of 1 lot, 10.5± acres

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

Shannon Mackey was present with concerns about how the subdivision might affect her property. She wanted to know if they would result in more homes.

Commissioners advised Ms. Mackey that it was only creating a legal lot.

No one else was present regarding the application.

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

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

1. Revision of the plat to illustrate the minimum existing right-of-way and, if less than 100 feet, dedication to provide 50 feet from the centerline of Wolf Ridge Road;
2. Retention of the lot's size in both square feet and acres, or provision of a table on the Final Plat providing the same information, adjusted for any required dedication;
3. Revision of the plat to illustrate a 25-foot front yard setback along Wolf Ridge Road, adjusted for any required dedication;
4. Revision of the plat to depict the easement facilitating cross access between the two sites;

5. Retention of the future development area, as illustrated and labeled on the preliminary 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.

5. SUB-003119-2024

Location: North side of Height Street, at the North terminus of Glenn Street, extending to the South side of Robinson Drive, 128'± west of the South terminus of Keith Street

Subdivision Name: Dog River Heights Subdivision, Resubdivision of Lot 19, Block A

Applicant / Agent: John Mark Stephens

Council District: District 3

Proposal: Subdivision of 2 lots, 0.20± acres

John Stephens, applicant, and Zeke Hudson of Rowe Engineering were present for the application and expressed concern about the provision of additional right-of-way and its impact on lot size and resulting buildable area. They requested that the right-of-way dedication requirement be removed.

Commissioners and the applicants discussed the noted issues. It was noted by Engineering staff that there were no plans to widen to road at this time.

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.B.9. and 6.C.2.(a)(1) of the Subdivision Regulations and Tentatively Approved the request, subject to the following conditions:

1. Retention of the lot sizes in square feet and acres on the Final Plat;
2. Depiction of a compliant 25-foot minimum building setback along both street frontages;
3. Compliance with all Engineering comments noted in the staff report;
4. Placement of a note on the Final Plat stating the Traffic Engineering comments noted in the staff report;
5. Compliance with all Urban Forestry comments noted in the staff report; and
6. Compliance with all Fire Department comments noted in the staff report.

6. SUB-003121-2024

Location: 5340, 5344 & 5348 U.S. Highway 90 West, 5525, 5535, 5537, 5561, & 5567 Nevius Road, and 4575 & 4589 Hermitage Avenue

Subdivision Name: Tillman's Corner Development Subdivision

Applicant / Agent: KD Tillman's Corner, LLC (Garrett Baker, Delaney Property Group, LLC, Agent)

Council District: District 4

Proposal: Subdivision of 4 lots, 6.8± acres

Garrett Baker of the Delaney Property Group was present for the application and stated that the sidewalk requirement noted in the Engineer comments would present a major cost to the proposed development.

Commissioners asked if a sidewalk waiver request had been included with the application. Legal counsel stated that a sidewalk waiver application was not included, thus could not be considered by the Commission at this time.

No one else was present regarding the application.

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

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

1. Retention of the right-of-way width of U.S. Highway 90 (Government Boulevard) on the Final Plat;
2. Provision of the right-of-way width of Nevius Road on the Final Plat, and if less than 150 feet to the centerline of Nevius Road, dedication to provide 150 feet to the centerline of Nevius Road;
3. Dedication to provide 30 feet from the centerline of Hermitage Avenue;
4. Dedication to provide a 25-foot radius curve at the intersection of U.S. Highway 90 (Government Boulevard) and Nevius Road on the Final Plat;
5. Dedication to provide a 25-foot radius curve at the intersection of Nevius Road and Hermitage Avenue on the Final Plat;
6. Retention of the lot sizes in square feet and acres on the Final Plat, adjusted for any required dedication;
7. Revision of the plat to illustrate a 25-foot front yard setback along all street frontages, adjusted for any required dedication;

8. Placement of a note on the Final Plat stating that no structure shall be constructed or placed within any easement without the permission of the easement holder;
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.

7. ZON-UDC-003059-2024

Location: 5105, 5109, and 5111 Overlook Road
Applicant / Agent: Lloyd Thomas
Council District: District 7
Proposal: Rezoning from Single-Family Residential Suburban District (R-1), to Neighborhood Business Suburban District (B-2).

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

No one else was present regarding the application.

Motion to holdover by Matt Anderson. Second by Nick Amberger. Heldover until the December 19, 2024 meeting.

After discussion the Planning Commission heldover the request until the November 21st meeting to allow the Rezoning application to be heard concurrently with the proposed Subdivision.

8. ZON-UDC-003106-2024

Location: Southeast corner of Commerce Boulevard East and Commerce Boulevard West
Applicant / Agent: Mobile City Council
Council District: District 4
Proposal: Rezoning from Office Distribution District (B-5) to Single-Family Residential Suburban District (R-1).

The applicant was not present for the application.

Legal counsel noted the reason for the holdover, as he understood it, was that the proposed area for down-zoning was to be increased.

No one else was present regarding the application.

Motion to holdover by Harry Brislin. Second by Matt Anderson. Heldover until the December 19, 2024 meeting. Josh Woods abstained from the application.

After discussion the Planning Commission heldover the request until the December 19th meeting to allow the Rezoning application to be heard concurrently with the revised Subdivision and Rezoning applications.

9. SUB-SW-003115-2024

Location: 7858, 7860, and 7900 Zeigler Boulevard
Applicant / Agent: David Warren, Warren Adhesives, Inc.
Council District: District 7
Proposal: Request to waive the construction of a sidewalk along Zeigler Boulevard.

Gerald Byrd of Byrd Surveying was present for the application and made the following points:

- There is a building under construction on the east side of the property;
- This section of Zeigler Boulevard is currently under design for widening as a joint ALDOT and Mobile County project;
- The widening project will result in everything in the existing right-of-way being cleared, including any proposed sidewalk;
- The proposed cross-section of the new roadway may include an open-ditch section, which could prevent the provision of a sidewalk.

Commissioners noted that the ALDOT plans included with the application depict a 10-foot wide sidewalk on the south side of Zeigler, opposite the site in question.

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.

10. SUB-003067-2024 & ZON-UDC-003064-2024

Location: 5301 Moffett Road
Subdivision Name: Overlook Cargo Connection Subdivision

Applicant / Agent: Jane Steiner, PMG, LLC (Bruce Smith, Cowles Murphy Glover & Associates, Inc., Agent)
Council District: District 7
Proposal: Subdivision of 1 lot, 6.85± acres; and Rezoning from Neighborhood Business Suburban District (B-2) to Office Distribution District (B-5).

Bruce Smith of Cowles Murphy Glover & Associates was present for the applications and made the following points:

- The rezoning request is due to the fact that the property owner has had difficulty filling the vacant retail space;
- The site does not provide good visibility for retail due to the lower elevation from Moffett Road;
- There is an increasing need for warehouse space in Mobile;
- The entry from Moffett Road would provide in-bound access for trucks, subject to ALDOT approval, and trucks would exit the site onto Overlook Road;
- There was not a large turnout for the Neighborhood Meeting, but those in attendance did seem to support the demolition of the older buildings on the site.

Engineering staff noted to the applicant that there are drainage issues between the site and the adjacent neighborhood.

Commissioners asked the applicant about the recent application to the Board of Adjustment (BOA), where they sought a Special Exception application in a B-3, Community Business District. The applicant stated that BOA application was made in case a rezoning to B-5 was not approved, as a contingency.

George Houston was present with numerous questions and concerns regarding the application including:

- How will the development be an improvement to the neighborhood by building a 60,000 square foot warehouse;
- How will the trucks manage access from Moffett Road without getting stuck – will ALDOT be rebuilding the intersection to allow truck traffic;
- Overlook Road is a two-lane road that is not suited to truck traffic;
- What will be stored in the warehouse;
- What are the hours of operation – will there be operations at night that will result in truck noises;
- Concerned about stormwater management from the site and his neighborhood; and
- He did not attend the Neighborhood Meeting and understands that some of these questions may have been addressed at that meeting.

Mr. Smith provided the following points in rebuttal:

- Truck entrance plans have been reviewed by ALDOT, and as long as the trucks only enter from Moffett Road and not also exit onto Moffett Road, there should not be an issue;
- There will be a large residential buffer on the west side of the property, which should reduce stormwater leaving the site;
- There are no specific tenants identified for the building, so he cannot address what will be stored in the building;
- Noise from the development should be less than prior retail uses, as all truck loading areas are on the opposite side of the building from the neighborhood, whereas the retail use truck loading bays faced the neighborhood;
- Redevelopment of the site will help reduce the homeless population living on the site; and
- The vents and fans on the west side of the building are just for normal ventilation.

Commissioners asked Planning staff if there were limits to the hours of operation in a B-5 zoning district. Staff replied that there were no limits in the B-5 district, however, in the related Special Exception application in a B-3 district the Board of Adjustment had the ability to limit the hours of operation if determined necessary.

Commissioners asked the applicant about buffers, traffic and zoning. The applicant stated that a privacy fence would be included in the new buffer area. Regarding traffic, the applicant stated that the proposed warehouse would generate about six trips per day, which is much less than when the site was the home of a Delchamps grocery store. As for choosing between B-3 and B-5, the applicant stated that the B-5 would provide additional options for future uses that are not available in B-3.

No one else was present regarding the application.

During deliberation Commissioners and Planning staff discussed the functional difference between the B-3 and B-5 zoning districts as they relate to the proposed use of the site. It was noted that B-5 could result in more potentially noxious uses. It was also noted that the zoning districts do not restrict hours of operation, but the Special Exception application to the Board of Adjustment could regulate hours of operation in a B-3 district.

Subdivision.

Motion to approve by Harry Brislin. Second by Nick Amberger. Approved.

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

1. Revision of the plat to illustrate the minimum existing right-of-way and, if less than 100 feet, dedication to provide 50 feet from the centerline of Moffett Road;
2. Revision of the plat to depict the existing right-of-way along Overlook Road;
3. Retention of the lot's size in both square feet and acres on the Final Plat, adjusted for any required dedication;
4. Revision of the plat to illustrate a 25-foot front yard setback along each street frontage where the lot is at least 60 feet wide, adjusted for any required dedication, in compliance with Section 6.C.8. of the Subdivision Regulations, and with Article 2 of the Unified Development Code;
5. Placement of a note on the Final Plat stating the site shall comply with the development provisions of Article 3 of the Unified Development Code;
6. Placement of a note on the Final Plat stating no structures shall be constructed in 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 all Traffic Engineering comments noted in the staff report;
9. Compliance with all Urban Forestry comments noted in the staff report; and,
10. Compliance with all Fire Department comments noted in the staff report.

Rezoning.

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

After discussion, the Planning Commission determined that the following criteria prevail to support rezoning of the property to **B-3, Community Business Suburban 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:
 - (1) The current development trends in the vicinity of the subject property;
 - (2) Surrounding land uses;
 - (3) Would not adversely impact neighboring properties; and
 - (4) Would not 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 Suburban District**, to the City Council, subject to the following conditions:

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

Minutes approved: November 20, 2025



Jennifer Denson, Secretary



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