

# Mobile Planning Commission Minutes

January 16, 2025 – 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)
	Mr. Chad Anderson		
(S) Supernumerary      (MD) Mayor’s Designee      (AO) Administrative Official      (CC) City Council Representative			

Staff: Jonathan Ellzey, George Davis, Victoria Buch, Doug Anderson, Stephen Guthrie, Logan Anderson, Bert Hoffman, Shayla Beaco

### Adoption of the Agenda.

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

## NEW ITEMS

### 1. SUB-003174-2024

**Location:** 63 LeFevre Street  
**Subdivision Name:** Resubdivision of Lot 45, Mechem and Blair Subdivision  
**Applicant / Agent:** John Michael Friess, JWTC, LLC  
**Council District:** District 1  
**Proposal:** Subdivision of 1 lot, 0.14± 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.2.(a) and Section 6.C.2.(b) of the Subdivision Regulations and Tentatively Approved the request, subject to the following conditions:

1. Retention of the right-of-way width of LeFevre Street on the Final Plat, as depicted on the preliminary plat;
2. Retention of the 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;
3. Retention of the 25-foot front yard setback along LeFevre Street in compliance with Section 5.C.2.(i) of the Subdivision Regulations;
4. Compliance with all Engineering comments noted in the staff report;
5. Placement of a note on the Final Plat stating the 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.

## 2. SUB-003182-2024

**Location:** 2400 Airport Boulevard  
**Subdivision Name:** Replat of Lot 1, Resubdivision of La Louisiana Plantation 2 Subdivision  
**Applicant / Agent:** Jason Linder, Linder Surveying  
**Council District:** District 5  
**Proposal:** Subdivision of 1 lot, 0.87± 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. Kenny Nichols recused from the application.

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

1. Retention of the right-of-way widths of Airport Boulevard and Pinehill Drive on the Final Plat;
2. Revision of the right-of-way width of Mount Island Drive East to 50 feet on the Final Plat;
3. Dedication of a 25-foot radius curve at the intersection of Airport Boulevard and Pinehill Drive;
4. Retention of the lot size label in both square feet and acres on the Final Plat, adjusted for any required dedication, or the furnishing of a table on the Final Plat providing the same information;

5. Retention of the ten-foot (10') minimum building setback line along Airport Boulevard and Pinehill Drive, adjusted for any required dedication;
6. Revision of the plat to remove the minimum building setback line along the West boundary line;
7. Revision of the plat to illustrate the ten-foot (10') City park strip adjacent to the West boundary line and East of the Mount Island Drive East right-of-way;
8. Revision of the plat to remove the R.O.W. label from the R.O.W. / PROPERTY LINE label along the West property line;
9. Revision of the plat to remove the 45-foot (45') maximum building setback lines and the ten-foot (10') protection buffer lines;
10. Compliance with all Engineering comments noted in the staff report;
11. Placement of a note on the Final Plat stating the Traffic Engineering comments noted in the staff report;
12. Compliance with all Urban Forestry comments noted in the staff report; and
13. Compliance with all Fire Department comments noted in the staff report.

### 3. SUB-003180-2024

**Location:** 429 Lincoln Boulevard  
**Subdivision Name:** Mobile Terrace Subdivision, Resubdivision of Lots 1-5, Block 23  
**Applicant / Agent:** Linda Ellerby  
**Council District:** District 7  
**Proposal:** Subdivision of 3 lots, 0.29± acres

Zeke Hudson of Rowe Engineering was present for the application and requested a waiver of the right-of-way dedication requirements on both streets, and a reduction in the required setback on Twelfth Street.

Commissioners, legal counsel and the applicant discussed the right-of-way and setback requests. Legal counsel noted that the setback request would require an application to the Board of Adjustment.

Planning staff noted the setback requirements in an R-1, Single-Family Residential, Suburban zoning district.

No one else was present regarding the application.

Motion to holdover by Nick Amberger. Second by Matt Anderson. Heldover until the April 17, 2025, meeting.

After discussion the Planning Commission heldover the request until the April 17, 2025, meeting to allow the applicant time to request a Front Yard Setback Variance from the Board of Zoning Adjustment for a reduced front yard setback along Twelfth Street.

**4. SUB-003171-2024 & ZON-UDC-003172-2024**

**Location:** 1400 Dauphin Island Parkway, 2007 Webb Avenue, and 2006 McVay Drive North  
**Subdivision Name:** Fulton Heights Subdivision  
**Applicant / Agent:** New Life United Methodist Church (Kari Givens, Byrd Surveying, Inc., Agent)  
**Council District:** District 3  
**Proposal:** Subdivision of 1 lot, 1.44± acres; and Rezoning from Single-Family Residential Suburban District (R-1) to Neighborhood Business Suburban District (B-2).

Adam Metcalfe of Metcalfe & Company was present for the applications and explained the requests. He agreed with the suggested considerations.

No one else was present regarding the applications.

**Subdivision.**

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

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

1. Retention of the existing right-of-way width on the Final Plat, as depicted on the preliminary plat;
2. Retention of the lot's size in both square feet and acres on the Final Plat;
3. Retention of the 25-foot front yard setback for all street frontages, in compliance with Section 6.C.8. of the Subdivision Regulations and Article 2 of the Unified Development Code;
4. Placement of a note on the Final Plat stating that future development or redevelopment of the site shall comply with the development provisions of Article 3 of the Unified Development Code;
5. Placement 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 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 Matt Anderson. Second by Harry Brislin. Approved.

After discussion, the Planning Commission determined that the following criteria prevail to support rezoning of the property to **B-2, Neighborhood 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, if any, in the vicinity of the subject property;
  - (2) Surrounding land uses;
  - (3) Would not adversely impact neighboring properties; or
  - (4) 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-2, Neighborhood Business Suburban 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.

**5. SUB-003177-2024, MOD-003178-2024 & MOD-003179-2024**

**Location:** 951 Downtowner Boulevard & 3655 Marion Beckham Drive  
**Subdivision Name:** City Hope Church Subdivision  
**Applicant / Agent:** Kari Givens, Byrd Surveying, Inc.  
**Council District:** District 5

**Proposal:** Subdivision of 2 lots, 10.67± acres; and Major Modification of a previously approved Planning Approval allowing the addition of day care services to an existing community services facility; and Major Modification of a previously approved Planned Unit Development allowing multiple buildings on a single building site.

Gerald Byrd of Byrd Surveying was present for the applications and requested that the dedication requirement on Marion Beckham Road be waived, as it was not required with previous subdivision applications.

No one else was present regarding the applications.

**Subdivision.**

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

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

1. Retention of the 80-foot-wide right-of-way along Downtowner Boulevard 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 any required dedication;
3. Retention of the 25-foot minimum building setback line along Downtowner Boulevard and Marion Beckham Drive, as required by Section 5.C.2.(i) of the Subdivision Regulations and Article 2, Section 64-2-10.E. of the Unified Development Code, adjusted for any required dedication;
4. Retention of a note on the Final Plat stating no structures shall be constructed in any easement without permission from the easement holder;
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.

**Planning Approval Modification.**

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

After discussion the Planning Commission determined the following Findings of Fact 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. 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;
- 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.

As such, the Planning Commission voted to recommend approval of the Major Planning Approval Modification to the City Council, subject to the following conditions:

1. Retention of the size labels in both square feet and acres, adjusted for any required dedications;
2. Retention of the building sizes in square feet on the final Planning Approval site plan;
3. Retention of the right-of-way widths along all streets on the Final Site Plan, adjusted for any required dedications resulting from the Subdivision request;
4. Retention of a note on the Final Planning Approval site plan stating future development or redevelopment of the property may require approval by the Planning Commission and City Council;
5. Submittal to and approval by Planning and Zoning of the revised Modified Planning Approval site plan prior to their recording in Probate Court, and the provision of copies of the recorded site plans (hard copy and pdf) to Planning and Zoning; and,
6. Full compliance with all municipal codes and ordinances.

**Planned Unit Development Modification.**

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

After discussion the Planning Commission determined the following Findings of Fact 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;
- 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.

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. Retention of the size labels in both square feet and acres, adjusted for any required dedications;
- 2. Retention of the building sizes in square feet on the final PUD site plan;
- 3. Retention of the right-of-way widths along all streets on the Final Site Plan, adjusted for any required dedications resulting from the Subdivision request;
- 4. Retention 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;
- 5. Submittal to and approval by Planning and Zoning of the revised Modified PUD site plan prior to their recording in Probate Court, and the provision of copies of the recorded site plans (hard copy and pdf) to Planning and Zoning; and,
- 6. Full compliance with all municipal codes and ordinances

## **OTHER BUSINESS**

- **Call for Public Hearing on March 20, 2025, for proposed amendments to the Unified Development Code:**
  - Section 64-5-4 regarding Neighborhood Meetings
  - Sections 64-5-5, 64-5-6, and 64-5-7 regarding Recording and Recordkeeping
  - Section 64-5-8 regarding Previously Approved Planning Approval and Planned Unit Developments

