

Mobile Planning Commission Minutes

February 20, 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)
x	Mr. Chad Anderson		
(S) Supernumerary (MD) Mayor’s Designee (AO) Administrative Official (CC) City Council Representative			

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

Adoption of the Agenda:

Motion to adopt by Jennifer Denson. Second by Kenny Nichols. Adopted.

NEW ITEMS

1. SUB-003184-2024

Location: 2555 Fairway Drive
Subdivision Name: Tate Addition Subdivision
Applicant / Agent: Latricia Tate (Nick Hadji, SLSCO, Ltd., Agent)
Council District: District 5
Proposal: Subdivision of 1 lot, 0.27± 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.(b) of the Subdivision Regulations and Tentatively Approved the request, subject to the following conditions:

1. Provision of a subdivision plat in compliance with Section 5.A. of the Subdivision Regulations;
2. Revision of the Final Plat to illustrate Fairway Drive with compliant right-of-way and/or dedication sufficient to provide 30 feet from the centerline of Fairway Drive;
3. Provision of a label with 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 dedication;
4. Revision of the Final Plat to retain the 25-foot front yard setback along Fairway Drive, adjusted for any required dedication, and to remove the side and rear setbacks;
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.

2. SUB-003202-2025

Location: 2289 Egret Crossing
Subdivision Name: Resubdivision of and Addition to Lot 7, Heron Landing, Unit One
Applicant / Agent: Kari Givens, Byrd Surveying, Inc.
Council District: District 3
Proposal: Subdivision of 1 lot, 1.39± acres

Gerald Byrd of Byrd Surveying was present for the application and questioned the right-of-way dedication requirement for the Egret Crossing cul-de-sac. He noted that it was a private street, and that any dedicated right-of-way would go to the homeowners association.

Planning staff noted for Commissioners that the Subdivision Regulations had provisions for the waiver of the dedication requirement.

Commissioners and the applicant discussed the existing radius of the cul-de-sac.

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, 6.C.3. and 6.C.7. of the Subdivision Regulations and Tentatively Approved the request, subject to the following conditions:

1. Dedication to provide a 60-foot radius within the Doyle Street cul-de-sac;

2. Revision of the curve data table to provide all data after any required dedication;
3. Placement of a note on the Final Plat stating that access is limited to one street frontage;
4. Retention of the 25-foot minimum building setback line from Egret Crossing where the lot is at least 60 feet wide;
5. Revision of the plat to illustrate the 25-foot minimum building setback line off the Doyle Street cul-de-sac as blocked-out within the main part of the lot where the “finger” intersects;
6. Retention of the lot size label in both square feet and acres, revised for any required dedication, or the furnishing of a table on the Final Plat providing the same information;
7. 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;
8. Compliance with all Engineering comments noted in the staff report;
9. Placement of a note on the Final Plat stating all Traffic Engineering comments noted in the staff report;
10. Compliance with all Urban Forestry comments noted in the staff report; and,
11. Compliance with all Fire Department comments noted in the staff report.

3. SUB-003195-2025

Location: 5789 U.S. Highway 90 West & 5480 Hamilton Boulevard
Subdivision Name: Airgas South Subdivision
Applicant / Agent: Adam J. Metcalfe, Metcalfe & Company, Inc.
Council District: District 4
Proposal: Subdivision of 2 lots, 15.1± acres

Adam Metcalfe of Metcalfe & Company was present for the application and requested clarification of the Traffic Engineering comments.

Traffic Engineering staff stated that the condition was the standard comments and did not impose any additional requirements on the application.

With that clarification, Mr. Metcalfe stated that he was fine with the recommendations.

No one else was present regarding the application.

Motion to approve by Harry Brislin. Second by Kenny Nichols. Approved.

After discussion the Planning Commission waived Sections 6.B.9., 8.A.1., and 8.A.3. of the Subdivision Regulations and Tentatively Approved the request, subject to the following conditions:

1. Revision of the plat to depict the distance from the subject site to the centerline of Hamilton Boulevard;
2. Placement of a note on the Final Plat stating that at such a time as Fore Road is developed, it will be required to be developed to City Standards, per Section 9.D. of the Subdivision Regulations;
3. Retention of the lot size label in both square feet and acres on the Final Plat;
4. Revision of the plat to depict the 25-foot front yard minimum building setback along both street frontages;
5. Placement of a note on the Final Plat stating that no structures are allowed in any easements 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 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-003205-2025

Location: 135 Westfield Avenue
Subdivision Name: Resubdivision of Lot 4, Block B of Sunset Hills, 2nd Addition
Applicant / Agent: Brad Crain
Council District: District 6
Proposal: Subdivision of 2 lots, 0.48± 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 Larry Dorsey. Approved.

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

1. Retention of the 50-foot right-of-way widths along Westfield Avenue and Rawleigh Drive on the Final Plat;
2. Revision of the plat to illustrate dedication of a 25-foot corner radius at the intersection of Westfield Avenue and Rawleigh Drive, per Section 6.C.6. (or as approved by the City Engineer and the Traffic Engineering Director);
3. 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 dedication;

4. Retention of the 25-foot front yard setback along both Westfield Avenue and Rawleigh Drive;
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.

5. SUB-003208-2025

Location: 7900 & 7908 Airport Boulevard
Subdivision Name: Foo Properties Airport Boulevard West Subdivision
Applicant / Agent: William Fusaiotti, Foo Properties, Inc. (Don Whittington, McCrory & Williams, Inc., Agent)
Council District: District 7
Proposal: Subdivision of 2 lots, 3.84± acres

John Vallas of Vallas Realty was present for the applications and made the following points:

- The purpose of the request is to move the common lot line to make proposed Lot 2 larger to allow for future development on that lot;
- There is no development proposed for Lot 1, and the existing structures on that lot could be removed;
- The subdivision request should be approved;
- The Planned Unit Development requirement could be handled via an Administrative Planned Unit Development rather than through the Planning Commission as a “Major Modification;”
- The zoning application requirement is in error, as the entire site is all within the same zoning classification.

Commissioners, Planning staff, legal counsel and Mr. Vallas discussed the points noted by Mr. Vallas. Legal counsel advised the Commissioners that the existing Planned Unit Development must be amended.

No one else was present regarding the application.

During the deliberation session, legal counsel provided additional comments regarding the existing Planned Unit Development. He stated that the Commission could make the PUD amendment administrative, a minor modification, as it only applies to the west property.

Motion to approve by Matt Anderson. Second by Kirk Mattei. Approved. Kenny Nichols recused from the application.

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

1. Revision of the Final Plat to label Airport Boulevard and illustrate a compliant right-of-way width, or dedication sufficient to provide 50 feet from the centerline of Airport Boulevard;
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 dedication;
3. Retention of the 25-foot front yard setback along Airport Boulevard, adjusted for any required dedication;
4. Approval and completion of a Request for Minor Modification to a previously approved Planned Unit Development prior to signing the Final Plat;
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.

6. SUB-003212-2025

Location: 401 Civic Center Drive
Subdivision Name: Resubdivision of Mobile Civic Center Subdivision
Applicant / Agent: Carleen Stout, City of Mobile
Council District: District 2
Proposal: Subdivision of 3 lots, 20.06± 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 Sections 6.B.9., 6.C.6., 6.A.1.(a), and 9.F.4.(b) of the Subdivision Regulations and Tentatively Approved the request, subject to the following conditions:

1. Revision of the plat to depict the existing minimum right-of-way to the centerline of Canal Street (or total right-of-way width), including dedication if necessary, to provide 60-feet from the centerline;
2. Retention of the rights-of-way for South Lawrence Street and Civic Center Drive;

3. Revision of the plat to depict the minimum existing right-of-way to the centerline of South Jackson Street and South Claiborne Street, including dedication if necessary, to provide 25-feet from the centerline;
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. Depiction of the 12-foot maximum setback along all street frontages;
6. Depiction of the 5-foot minimum setback for the secondary frontage of the T-3 portions of Lot 3;
7. Placement of a note stating that no structures are allowed in any easements without the permission of the easement holder;
8. Compliance with all Engineering comments noted in the staff report;
9. Placement of a note on the Final Plat stating all Traffic Engineering comments noted in the staff report;
10. Compliance with all Urban Forestry comments noted in the staff report;
11. Compliance with all Fire Department comments noted in the staff report; and
12. Completion of the Subdivision process prior to the application for permits.

7. SUB-003173-2024

Location: 6759 Overlook Road
Subdivision Name: Gawrychowski Subdivision
Applicant / Agent: Gawrych Holdings, LLC
Council District: District 7
Proposal: Subdivision of 4 lots, 3.27± acres

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

No one else was present regarding the application.

Motion to approve by Harry Brislin. Second by Jennifer Denson. Approved.

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

1. Retention of the right-of-way width of Overlook Road on the Final Plat;
2. Retention of the 25-foot minimum building setback line for Lots 1, 2 and 3 as illustrated on the preliminary plat;
3. Revision of the plat to illustrate the 25-foot minimum building setback line for Lot 4 as measured from where the lot is at least 60 feet wide;
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. 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.

8. SUB-003207-2025

Location: 2806 Old Shell Road
Subdivision Name: Old Shell Cottages Subdivision
Applicant / Agent: 195, LLC
Council District: District 1
Proposal: Subdivision of 7 lots, 0.65± acres

Ellis Foster was present for the application and in agreement with the suggested considerations.

Traffic Engineering staff noted that the comments included in the staff report were not the correct Traffic Engineering comments. They stated that lots would be required to share driveway access.

Mr. Foster agreed with the revised Traffic Engineering comments.

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 Sections 6.C.2(a)(1) and 6.C.2.(b)(3) of the Subdivision Regulations and Tentatively Approved the request, subject to the following conditions:

1. Retention of the 50-foot-wide right-of-way along Old Shell Road;
2. Revision of the plat to label each lot with its size in square feet and acres, or provision of a table on the Final Plat with the same information;
3. Retention of the 5-foot front yard setback along Old Shell Road;
4. Removal of the side and rear yard setbacks from the Final Plat;
5. Provision of the name of the proposed subdivision 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 all Traffic Engineering comments noted in the staff report, amended as follows: *Each lot will only be allowed to have a single shared*

access driveway. Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards;

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.

9. SUB-003206-2025

Location: 3511 River Oaks Drive
Subdivision Name: Resubdivision of River Oaks Estates
Applicant / Agent: Kari Givens, Byrd Surveying, Inc.
Council District: District 4
Proposal: Subdivision of 11 lots, 31.1± acres

Gerald Byrd of Byrd Surveying was present for the application and stated that the setback waiver noted in the staff report is not required.

Planning staff noted that the waiver was for the lot width at the street, not the setback issue.

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

1. Retention of the compliant 50-foot right-of-way width for River Oaks Drive as illustrated on the preliminary plat;
2. Provision of a label for all proposed Lots to include the lot's size in both square feet and acres, or provision of a table on the Final Plat providing the same information;
3. Retention of at least a 25-foot front yard setback along each street frontage, where each lot is at least 60 feet wide;
4. Retention of the note on the Final Plat stating that no structure shall be constructed within 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 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.

10. SUB-003211-2025

Location: 1408 Cody Road North
Subdivision Name: The Villas at Cody Crossing Subdivision
Applicant / Agent: Amanda Crose, Elliott Land Developments, LLC
Council District: District 7
Proposal: Subdivision of 229 lots, 16.44± acres

Jay Broughton of Broughton & Associates 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 Harry Brislin. Approved.

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

1. Dedication to provide 50-feet from the from the centerline of Cody Road;
2. Dedication to provide 25-feet from the from the centerline of Victor Road;
3. Approval of the proposed street names by the City Engineer, with any streets labeled on the Final Plat;
4. Provision of signs at the entrances to the private streets with the street names and identifying them as private streets, per Manual on Uniform Traffic Control Devices (MUTCD) standards;
5. Revision of the plat to illustrate the applicable utility easements, per Section 9.D.1(b)(4) of the Subdivision Regulations;
6. 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, in compliance with Sections 9.D.1(b)(5) and 9.D.1(b)(7) of the Subdivision Regulations;
7. 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, in compliance with Section 9.D.1(b)(9) of the Subdivision Regulations;
8. Provision and approval of the required private street legal document in compliance with Section 9.D.1(b)(8) of the Subdivision Regulations, prior to signing of the Final Plat;
9. Placement of a note on the Final Plat stating that Lots 1-24 and Lot 29 are denied direct access to Cody Road North;

10. Revision of the plat to label each lot with its size in square feet and acres, adjusted for dedication, or provision of a table on the Final Plat with the same information;
11. Revision of the plat to label each common area with its size in square feet and acres, adjusted for dedication, or provision of a table on the Final Plat with the same information;
12. Placement of a note on the revised plat stating that the maintenance of all common areas is the responsibility of the property owner(s) and not the City of Mobile, in compliance with Section 2.A. of the Subdivision Regulations;
13. Revision of the plat to illustrate a 25-foot front yard setback along each proposed street, in compliance with Section 6.C.8. of the Subdivision Regulations, and with Article 2, Section 64-2-6.E. of the Unified Development Code, or acquisition of the necessary variances;
14. Compliance with all Engineering comments noted in the staff report;
15. Placement of a note on the Final Plat stating all Traffic Engineering comments noted in the staff report;
16. Compliance with all Urban Forestry comments noted in the staff report;
17. Compliance with all Fire Department comments noted in the staff report; and
18. Full compliance with all other codes and ordinances.

11. SUB-SW-003194-2025

Location: 5344 & 5348 U.S. Highway 90 West
Applicant / Agent: Garrett Baker, KD Tillman’s Corner, LLC
Council District: District 4
Proposal: Request to waive the construction of sidewalks along U.S. Highway 90 West, Nevius Road, and Hermitage Avenue.

Garrett Baker with KD Tillman’s Corner, LLC was present for the application and made the following points:

- A portion of the site was annexed into the City;
- The subdivision request was approved, which required right-of-way dedication on Hermitage Avenue;
- Stated that Mobile County did not have the jurisdiction to require a sidewalk on Hermitage Avenue;
- Stated that ALDOT would not require a sidewalk, but if provided in the right-of-way, the City would have to maintain it, otherwise they would prefer a sidewalk located outside of the right-of-way;
- Would be concerned about providing a sidewalk on the development site as it could impair the safety of patrons due to presence of service road;
- Believes that vagrants will be the main users of the sidewalk; and
- Providing a sidewalk would be cost prohibitive for the project.

Commissioners and the applicant discussed the request. It was noted by a Commissioner that there was a push by a state-level representative for sidewalk improvements in the area, and that sidewalks along all street frontages would be desirable.

Commissioners asked staff about a sidewalk on Hermitage Avenue, which is a County-maintained road, thus the sidewalk would be in the County right-of-way.

City Engineering staff noted that sidewalks in ALDOT right-of-way would require a maintenance agreement between the City and ALDOT. If the sidewalk was placed on private property adjacent to the right-of-way, ALDOT would not be involved, but would require an agreement between the private property owner and the City. Providing sidewalks on Heritage may be challenging due to right-of-way issues. It would also be challenging to make the necessary improvements to intersections to accommodate sidewalks.

No one else was present regarding the application.

During the deliberation sessions, Commissioners and staff discussed the sidewalk waiver request.

Motion to approve by Matt Anderson. Second by Nick Amberger. Approved. Josh Woods was opposed to the motion.

After discussion the Planning Commission approved the request to waive the construction of sidewalks along U.S. Highway 90 West and Nevius Road. The Commission did not approve a waiver along Hermitage Avenue.

12. SUB-SW-003198-2025

Location: 6255 Airport Boulevard
Applicant / Agent: Don Whittington, McCrory & Williams, Inc.
Council District: District 6
Proposal: Request to waive the construction of a sidewalk along Louise Avenue.

Ivan Blackmon with Foosackly's restaurants was present for the application and stated that the request was only for the Louise Avenue frontage, due to a lack of right-of-way, utility poles and a slope that would require a retaining wall.

Commissioners noted that the information provided did indicate that there was limited space for the provision of a sidewalk on Louise Avenue.

No one else was present regarding the application.

Motion to approve by Matt Anderson. Second by Josh Woods. Approved. Kenny Nichols recused from the application.

After discussion the Planning Commission approved the Sidewalk Waiver request.

13. ZON-STR-003214-2025

Location: 2411 Venetia Road
Applicant / Agent: Marbury Buckhaults, Shropshire, LLC
Council District: District 4
Proposal: Conditional Use Permit approval to allow a Short-Term Rental in an R-1, Single-Family Residential Suburban District.

Marbury Buckhaults of Shropshire, LLC was present for the application and stated that they would be able to meet the requirements noted in the staff report, and provide the required information.

Commissioners and Planning staff discussed the possibility of approving the request with conditions for additional certifications from the applicant. Staff stated that it would be more advisable to hold over the application to ensure that the required certifications were received from the applicant prior to the Commission making their recommendation to the City Council.

No one else was present regarding the application.

Motion to holdover by Matt Anderson. Second by Matt Anderson. Heldover until the March 20, 2025 meeting.

After discussion the Planning Commission heldover the request until the March 20th meeting, with additional information submitted no later than March 5th, to allow the applicant to address the following:

1. Revise the site plan to depict the location of any/all garbage cans or other waste refuse bins;
2. Provide proof that all waste (garbage) refuse containers are screened from view (via photographs);
3. Provide certification (via a notarized affidavit) of the following:
 - a. That there shall be no on-site employees;
 - b. That the establishment shall not serve meals;

- c. That the guest rooms shall not contain cooking facilities;
- d. That a valid City of Mobile business license shall be obtained for the site, and the business license number shall be provided on any advertisement or listing for the Short-Term Rental;
- e. That no signage or advertising copy such as Vacancy/No Vacancy, Rent/Lease, etc. shall be placed on the site;
- f. That the name and telephone number of a local responsible party shall be conspicuously posted within the Short-Term Rental;
- g. That the local responsible party shall answer and respond to calls twenty-four (24) hours a day, seven (7) days a week for the duration of the Short-Term Rental period to address guests' problems or complaints;
- h. That the Short-Term Rental shall be equipped with smoke and carbon monoxide detectors;
- i. That one (1) 2.5 lb. Class A-B-C fire extinguisher shall be provided on each floor of the dwelling; and
- j. That the address of the dwelling shall be prominently displayed and legible on the building.

14. ZON-UDC-003166-2024

Location: 162 & 186 East Drive
Applicant / Agent: Shabbir Hossain (Vincent D. LaCoste, II, Bethel Engineering, Agent)
Council District: District 6
Proposal: Rezoning from Two-Family Residential Suburban District (R-2) to Multi-Family Residential Suburban District (R-3).

Vincent LaCoste of Bethel Engineering was present for the application and requested a holdover until the March 20th meeting, due to the owner's inability to attend the meeting.

Roger Woods, Jeff Beaverstock, John Adams and Eric Haynes were present in opposition to the application and made the following points:

- They were opposed to the rezoning;
- They were opposed to the holdover request as they had to take time off from work to attend the Planning Commission meeting, and the applicant did not provide justification to holdover the request - the applicant was aware of the meeting date well in advance;
- The applicant misrepresented the results of the Neighborhood Meeting submitted with their application to the Planning Commission;
- Notification for the Neighborhood Meeting was not in accordance with the zoning requirements;
- The applicant did not provide the feedback requested by attendees at the Neighborhood Meeting;

- The Neighborhood Meeting was poorly run and insufficient information was presented;
- There will be negative economic impacts;
- Concerned about traffic impacts on East Drive, where there are already problems, increasing the danger;
- They are concerned that the buildings will be multi-story;
- There are no sidewalks on East Drive;
- The development would not be consistent with the neighborhood;
- The development would not improve the general welfare;
- East Drive already has several apartment complexes and churches.

Commissioners asked Mr. LaCoste if he knew if the development would be single-story or multi-story. Mr. LaCoste stated that he was not sure, as his role was related to the site layout.

Commissioners and Planning staff discussed the zoning required for the proposed development. Staff stated that the applicant was seeking multiple dwelling units, hence the R-3 request.

It was noted by the Commissioners that they could vote on the request, even though the applicant had requested a holdover.

Motion to deny by Matt Anderson. Second by Josh Woods. Denied. Kenny Nichols was opposed to the motion.

After discussion the Planning Commission denied the Rezoning request due to the following:

- A) The proposed amendment is not consistent with the Comprehensive Plan;
- B) There was no mistake or error in the original zoning map; and
- C) The proposed amendment is not compatible with:
 - (1) The current development trends, if any, in the vicinity of the subject property;
 - (2) Surrounding land uses;
 - (3) It would adversely impact neighboring properties; and
 - (4) Cause a loss in property values.
- D) The proposed amendment does not promote the community's public health, safety, and general welfare.
- E) The infrastructure is not in place to accommodate the proposed amendment; and,
- F) There are no changing conditions in a particular area that make an amendment necessary and desirable.
- G) 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.

15. SUB-003209-2025 & ZON-UDC-003210-2025

Location: 3300 Knollwood Drive
Subdivision Name: The Knollwood Place, First Addition
Applicant / Agent: GK Land Holdings, LLC (Jerry Byrd, Byrd Surveying, Inc., Agent)
Council District: District 6
Proposal: Subdivision of 1 lot, 17.16± acres; and Rezoning from Single-Family Residential Suburban District (R-1) and Buffer Business Suburban District (B-1), to Multi-Family Residential Suburban District (R-3).

Gerald Byrd of Byrd Surveying and Casey Pipes of Helmsing Leach were present for the applications and made the following points:

- One of the concerns expressed by neighbors at the Neighborhood Meeting related to drainage from the site into their neighborhood;
- The site did not currently drain into the adjacent neighborhood and would not after development;
- Traffic from the development would exit onto Medical Park Drive, not directly onto Knollwood Drive;
- The rezoning request was in conformance with the recommendations of the Future Land Use Map;
- Would provide Voluntary Use Restrictions to cap the number of units for development to 60 dwelling units;
- The proposed development would be less dense than could be built under the existing zoning of the property – but the rezoning is needed to allow the townhouse style development;
- The proposed 100-foot setback from the west property line would also be included in the Voluntary Use Restrictions.

Commissioners asked if the 100-foot setback would be left in its natural vegetative state. Mr. Pipes stated that as much of it would left untouched as possible.

Commissioners asked if the development would be age-restricted. Mr. Pipes stated that the intent would be for residents aged 55 and older.

Commissioners asked if it was legal for Voluntary Use Restrictions to include the age-restriction provision. Due to federal laws, it was determined that it could not be included.

Traffic Engineering staff advised the Commission and the representatives for the application that a Traffic Impact Study would be required for the proposed development. The requirement was apparently not included in the staff report.

Jason Salzberg, Phil Gabriel, Clint Guthrie, Robin Crusse and Jayne Wanner were present in opposition to the applications and made the following points:

- Believes the proposed development will result in an oversaturation of the senior housing market – Gordon Oaks, across Knollwood from the site is at 30% capacity;
- The proposed development will damage the investment in Gordon Oaks;
- The proposed detention facility will not capture all of the drainage;
- Existing drainage from the site negatively impacts properties in The Woodlands at The Preserve, abutting the site;
- Wants assurances that the proposed 100-foot wide buffer will not be stripped of vegetation;
- Residents of The Woodlands are opposed to the proposed development;
- Traffic is already a problem on the access road to the development;
- Concerned that the proposed development will have negative impacts on the home values in the adjacent neighborhood, especially if the development includes income-assisted housing;
- Girby Road already has water issues, which resulted in the road collapsing several years ago;
- Concerned that the 55-year old minimum age requirement for the proposed development will eventually be eliminated, opening the development to all ages and families, with a corresponding increase in traffic;
- Girby Road already has traffic problems due to its narrow width and Burns Middle School; and
- Would prefer that the development be limited to a maximum number of units, if it is approved, as they fear that more units will be constructed if there is no specific limit.

Casey Pipes, in his rebuttal, stated that the density would be limited to 60 units maximum as part of the Voluntary Use Restrictions. These restrictions as well as the 100-foot buffer, if approved by City Council, would be recorded in Mobile County Probate Court – and could not be changed without going through the public hearing process again. He also stated that Gordon Oaks serves a different market than the proposed development. Finally, he stated that he had no issue making a Traffic Impact Study a requirement for the development.

Commissioners discussed certain points of the applications with Mr. Pipes, including the number of units, the mix of unit types and other restrictions.

Commissioners discussed the density of development and the lot sizes for the adjacent The Woodlands at The Preserve development. It was noted that the single-family development had reduced lot sizes and setbacks, thus it was also higher density development than a standard residential subdivision.

Subdivision.

Motion to approve by Matt Anderson. Second by Kenny Nichols. Approved. Josh Woods was opposed to the motion. Kirk Mattei 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 Knollwood Drive (100 feet) and Medical Park Drive (50 feet) on the Final Plat;
2. Retention of the 25-foot corner radius at the intersection of Knollwood Drive and Medical Park Drive;
3. Retention of the 25-foot minimum building setback line along both street frontages;
4. Retention of the lot size label 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. Completion of the Rezoning process to eliminate the potential for split-zoning prior to signing 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, amended as follows: *A traffic impact study will be required for the subdivision. Driveway number, size, location, and design to be approved by 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; and,
9. Compliance with all Fire Department comments noted in the staff report.

Rezoning.

During deliberation, Commissioners discussed drainage issues.

Motion to approve by Matt Anderson. Second by Kenny Nichols. Approved. Josh Woods was opposed to the motion. Kirk Mattei recused from the application.

After discussion, the Planning Commission determined that the following criteria prevail to support rezoning of the property to **R-3, Multi-Family Residential 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 **R-3, Multi-Family Residential Suburban District**, subject to the following conditions:

1. Limited to the Voluntary Conditions and Use Restrictions submitted by the applicant;
2. Recording of the Voluntary Conditions and Use Restrictions in Mobile County Probate Court;
3. Subject to completion of a Traffic Impact Study; and,
4. Full compliance with all municipal codes and ordinances.

OTHER BUSINESS

- **Call for Public Hearing on March 20, 2025, for a proposed amendment to the Unified Development Code:**
 - Article 8, Section 64-8-2 of the Unified Development Code, to amend the definition of "Lot of Record."

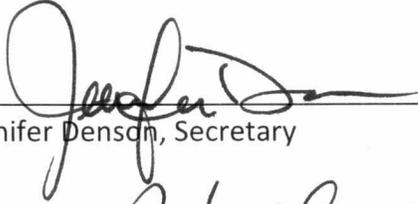
Motion to approve by Josh Woods. Second by Matt Anderson. Approved.

- **Review of Minutes from the following Planning Commission meetings:**

June 2, 2022
 June 16, 2022
 July 21, 2022
 August 4, 2022
 August 18, 2022

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

Minutes approved: January 15, 2026



Jennifer Densch, Secretary



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