

Mobile Planning Commission Minutes

May 15, 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)
	Ms. Jennifer Denson, Secretary	x	Mr. Josh Woods (CC)
	Mr. Harry Brislin, IV	x	Mr. Kenny Nichols (S)
x	Mr. Larry Dorsey		Ms. Ellie Edwards (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 Josh Woods. Second by Nick Amberger. Adopted.

HOLDOVERS

1. SUB-003282-2025

Location: 61 South McGregor Avenue
Subdivision Name: Gray McGregor Estate Subdivision
Applicant / Agent: Charles Gray
Council District: District 5
Proposal: Subdivision of 3 lots, 1.00± acre

The applicant, Charles Gray, was not present for the application.

Legal counsel advised the Commission that Mr. Gray emailed himself and staff that he needed additional time to resolve the issues. Legal counsel advised Mr. Gray in a responding email that a maintenance agreement would still be needed for the private street.

Meg Mattei was present with concerns regarding the application and made the following points:

- Provided a history of properties using Warren Court;
- Stated that she had deeded access to Warren Court, granted in 1965;
- Acknowledged that Mr. Gray owns the land containing Warren Court;
- As a 30-year resident of Warren Court, had never known the Gray family to maintain the private road, and in fact other owners along Warren Court pooled their funds to resurface the road about 25 years ago;
- Stated that trash pick-up is at McGregor, not along the private street;
- It is a 10-foot wide private drive, and City trucks, such as garage and fire trucks, do not drive down Warren Court;
- Stated that she did not wish to see an additional lot on Warren Court due to traffic concerns; and
- Requests that the application to create additional lots be denied.

Commissioners confirmed with Mrs. Mattei that garbage service was on McGregor, not along Warren Court. They also inquired if any emergency vehicles make it down Warren Court, and she stated that only an ambulance has driven down the drive – fire trucks remain on McGregor.

Commissioners inquired with legal counsel about the length of time needed for a holdover by Mr. Gray, to which legal counsel responded that Mr. Gray did not indicate how much time he would need in their email exchange.

Commissioners, noting a suggested condition in the staff report requiring a maintenance agreement, inquired with legal counsel if anything would legally compel abutting property owners to participate in the agreement. Legal counsel stated that there was nothing that would require participation, but it would seem to be in everyone's interest to share the cost of maintenance.

Commissioners stated that it appeared that the existing driveway, supporting four homes, was at its maximum capacity.

No one else was present regarding the application.

Motion to deny by Matt Anderson. Second by Josh Woods. Denied. Kirk Mattei recused from voting.

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

1. No road maintenance agreement was provided regarding maintenance of Warren Court by all adjoining property owners; and
2. Proposed Lot 3 does not abut a public street as required by Section 6.C.4.

2. SUB-003281-2025

Location: 1600 University Boulevard South
Subdivision Name: Logan Cottages Subdivision
Applicant / Agent: 195, LLC
Council District: District 4
Proposal: Subdivision of 7 lots, 1.67± acres

The Chairman stated that the application was originally recommended for denial, but since that the preparation of the staff report, additional information was provided by the applicant and a revised recommendation for approval had been prepared by Planning staff.

Cory Bronenkamp of 195, LLC was present for the application and in agreement with the suggested considerations for approval.

Commissioners asked Planning staff to explain what had changed with the plans to result in a change in recommendation. Staff noted that the applicant changed the design to meet the Fire department requirements regarding access to the development.

Commissioners also clarified with the applicant that the common area would be the stormwater detention facility.

Nathan Poe was present in support of the application and made the following points:

- Furthers smart growth principles;
- Results in infill development on long vacant land;
- Results in minimal infrastructure impact;
- Improves stormwater mitigation and control; and
- Provides revenue and tax benefits to the community.

No one else was present regarding the application.

During the deliberation session, Commissioners discussed the need to clarify that the future drive would be a private drive and a common area, not maintained by the City. It was recommended that the Engineering comment be amended to clarify maintenance responsibilities.

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

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

1. Retention of the rights-of-way along University Boulevard South and Ezekial Street, as depicted on the preliminary plat;
2. Revision of the plat to depict an adequate private street right-of-way width, as approved by the City Engineer;
3. Retention of the lot sizes in square feet and acres on the Final Plat, or provision of a table on the Final Plat with the same information;
4. Retention of the 25-foot front yard setback along all public and private street frontages on the Final Plat;
5. Placement of a note on the Final Plat stating maintenance of the Common Area is the responsibility of the property owners and not the City of Mobile, in compliance with Section 2.A. of the Subdivision Regulations;
6. Revision of the Final Plat to remove the side and rear yard setbacks from each lot;
7. Revision of the site data table to correspond with the final number of lots indicated on the Final Plat;
8. Placement of a note on the Final Plat stating that the private 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) of the Subdivision Regulations;
9. Placement of a note on the Final 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) of the Subdivision Regulations;
10. Per Section 9.D.1(b)(6), prior to signing of the plat, the applicant is to present a legal document to the Planning and Zoning Department to run as a covenant with the land providing for continuing maintenance of the private street by an owners' association, or other entity, granting rights of ingress and egress for emergency and utility maintenance vehicles, and holding harmless the city from damages to any owner within the subdivision arising, or which may arise, out of the existence of the private street. This document shall be approved by the City Attorney or their designee as to form and legality and shall be property executed and recorded simultaneously with the Final Plat in the records of Mobile County Probate Court;
11. Revision of the plat to illustrate the applicable utility easements acceptable to the appropriate provider of utility services for lots with frontage along the private street;
12. In compliance with Section 9.D.1(b)(8), a sign shall be posted and maintained at the entrance to the private street with the street name and identifying it as a private street, per Manual on Uniform Traffic Control Devices (MUTCD) standards with a blue background and white legend. The sign shall be made to city standards, and the name of the private street must be approved by the City Engineer;
13. Revision of the plat to provide the approved name of the private street;
14. Placement of a note of the Final Plat stating that no structures are allowed to encroach into an easement without the permission of the easement holder;

15. Compliance with Engineering comments noted in the staff report, amended as follows:
“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) The area along the north property line is receiving drainage from Ezekiel St. and will require a PUBLIC (Dedicated to the City of Mobile) drainage easement. The width and alignment of the easement shall be coordinated with, and approved by, the City Engineer prior to submitting the Plat for signatures. C) Provide a table of “PROPOSED WEIGHTED RUNOFF COEFFICIENT (Cw)” for each LOT. This number will be used to review the land disturbance permit for each structure. As an option provide a note stating that the detention for the LOTS will be provided in a common detention pond OR that any stormwater detention required will be provided by each individual LOT. D) Do NOT label the area north of LOTS 5-7 as “FUTURE PRIVATE DRIVE”. Label it as intended – access easement, common driveway for LOT 5-7, etc. E) Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo LOTS 1-7 will share the historical credit of existing (1984) impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control) and share the 4,000 SF credit provided to the original lot as follows: LOTS 1-7 – 570 SF each. F) 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. G) 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. H) 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. I) Add a note that all existing and proposed detention facilities, common areas, wetlands, and the private drive shall be the responsibility of the Property Owner(s), and not the responsibility of the City of Mobile. J) Add a note that all easements shall remain in effect until vacated through the proper Vacation process. K) 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.”;
16. Placement of a note on the Final Plat stating the Traffic Engineering comments noted in the staff report;
17. Compliance with all Urban Forestry comments noted in the staff report; and
18. Compliance with all Fire Department comments noted in the staff report.

NEW ITEMS

3. SUB-003304-2025

Location: 2900 Old Shell Road
Subdivision Name: HAAS Place Subdivision
Applicant / Agent: Austin V. Hynson
Council District: District 1
Proposal: Subdivision of 1 lot, 0.35± 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.

After discussion the Planning Commission 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. Retention of the 50-foot right-of-way width along Old Shell Road, Union Avenue, and Yew Street, as depicted on the survey;
3. Provision of corner radii where Old Shell Road and Union Avenue intersect, and where Union Avenue and Yew Street intersect, as approved by the City Engineer of Traffic Engineering Director and in compliance with Section 6.C.6. of the Subdivision Regulations;
4. Provision of the lot's size in both square feet and acres as a label on the Final Plat, or provision of a table on the Final Plat providing the same information, adjusted for any required dedication;
5. Revision of the Final Plat to illustrate a 10-foot front yard setback along each street frontage, in compliance with Section 64-2-14.E. of the Unified Development Code and Section 6.C.8. of the Subdivision Regulations;
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.

4. SUB-003299-2025

Location: 2022 & 2102 Shelton Beach Road Extension
Subdivision Name: Susanto-Miller Subdivision
Applicant / Agent: Ade Susanto
Council District: District 1
Proposal: Subdivision of 2 lots, 2.42± 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.3. of the Subdivision Regulations and Tentatively Approved the request, subject to the following conditions:

1. Retention of the compliant 60-foot right-of-way width along Shelton Beach Road Extension on the Final Plat;
2. Retention of the lot area labels in both square feet and acres on the Final Plat; or placement of a table on the Final Plat with the same information;
3. Retention of the 25-foot minimum building setback along Shelton Beach Road Extension, in compliance with Section 6.C.8. of the Subdivision Regulations and Article 2, Section 64-2-5.E of the UDC;
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.

5. SUB-003322-2025

Location: South side of Raven Drive at the South terminus of Cardinal Drive East, extending South to the East terminus of East Gulf Field Drive
Subdivision Name: MAA-ACDC Subdivision
Applicant / Agent: Mark A. Wattier, Wattier Surveying, Inc.
Council District: District 3
Proposal: Subdivision of 2 lots, 59.36± acres

Jay Watkins of Maynard Nexsen was present for the application and inquired about an Engineering requirement regarding easements. He requested that Engineering comment

“f.” be allowed to be after the recording of the plat, as there needs to be coordination regarding the location of easements based upon the proposed development.

Engineering staff stated that they would work with the applicant regarding the easement requirements.

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 label the second lot as “Lot 2,” or some other appropriate variation;
2. Revision of the plat to illustrate the minimum existing right-of-way and, if less than 350 feet, dedication to provide 175 feet from the centerline of U.S. Interstate 10;
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 any required dedication;
4. Revision of the plat to illustrate a 25-foot front yard setback along all street frontages, adjusted for any required dedication;
5. Compliance with all Engineering comments noted in the staff report, amended as follows: *“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 a unique line size/type for the proposed boundary of the subdivision. The FUTURE DEVELOPMENT portion should not have the same border line. C) Provide the recording information for the ROW vacations within LOT 1. D) Provide the ROW width for I-10. E) Provide the curve data for curves No. 1, 2, and 3. F) Coordinate with the ENGINEERING Dept. (George Davis) prior to permitting to establish required Drainage Easements to accommodate existing offsite water that drains into and through LOT 1 (Gulf Field Dr. E. and Raven Dr.). G) Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an A, AE, or X (shaded) flood zone designation. BFE = 22. H) It appears that there is historical credit of existing (1984) impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control) available. Applicant will need to coordinate with the City Engineering Department (George Davis) to establish the exact amount of historical credit that each Lot will receive prior to the submittal of the Final Plat from review. I) 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. J) 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. K) 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. L) 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. M) Add a note that all easements shall remain in effect until vacated through the proper Vacation process. N) 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”;

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.

6. SUB-003320-2025

Location: 4297 Riviere Du Chien Road
Subdivision Name: Du Chien Subdivision, Resubdivision of Lot 1
Applicant / Agent: Christopher Haase, 2CJ-Mobile, LLC
Council District: District 4
Proposal: Subdivision of 3 lots, 11.27± acres

Zeke Hudson of Rowe Engineering & Surveying was present for the application and stated that the requested 25-foot radius at Riviere Du Chien and Interstate 10 seemed unnecessary since the street is an overpass at Interstate 10.

Engineering staff stated that the corner radius was not needed at this location and that the requirement could be removed.

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.C.1. and 6.C.6. of the Subdivision Regulations and Tentatively Approved the request, subject to compliance with the following conditions:

1. Retention of the right-of-way width for Riviere Du Chien Road on the Final Plat as illustrated on the preliminary plat;
2. Revision of the Final Plat to illustrate dedication sufficient to provide a 70-foot right-of-way, or 35 feet from the center line of Halls Mill Road;
3. Revision of the Final Plat to illustrate dedication sufficient to provide a 350-foot right-of-way, or 175 feet from the center line of I-10;
4. Retention of the lot area labels in both square feet and acres on the Final Plat for each lot, adjusted for any required dedication, or placement of a table on the Final Plat with the same information;
5. Retention of the 25-foot minimum building setback along all frontages, in compliance with Article 2 Section 64-2-21.E. of the Unified Development Code, and Section 6.C.8. of the Subdivision Regulations;
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.

7. SUB-003319-2025 & MOD-003318-2025

Location: 4350 Moffet Road
Subdivision Name: Fred Marshall Court Subdivision
Applicant / Agent: Kari Givens, Byrd Surveying, Inc.
Council District: District 1
Proposal: Subdivision of 1 lot, 8.94± acres; and Major Modification of a previously approved Planned Unit Development allowing multiple buildings on a single building site, to allow construction of a multi-family development with 50 dwelling units in multiple buildings on a single building site.

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

- In response to concerns by neighbors, he provided an overview of the proposed development – 10 buildings, 5 units per building, 1 – 3 bedroom units;
- The minimum age to live at the location would be 55 years old;
- The site would have four detention ponds on the site, there would be an associated maintenance plan, and everything would be reviewed by the City; and
- The project would be financed through the Alabama Housing Finance Authority, which requires the developer to retain ownership of the project for 20 years, with the age parameters to remain in place during the period of ownership.

Commissioners asked Mr. Byrd to further explain the project.

Mr. Byrd stated that the existing structures would be demolished and the new development would be single-story.

Brenda Bolton was present in opposition to the application and made the following points:

- Her sister's letter regarding the application was hand delivered to the Planning office, and she wanted to confirm that it was provided to the Planning Commission;
- There were errors in the staff report and requested a holdover;
- Requested that the developer meet with neighbors so that they could ask the developer more questions;
- Expressed concerns regarding traffic due to the location on Moffett Road / US 98, a route that carries many vehicles including large trucks;
- Expressed concerns about the detention facilities, the largest of which would back up to her sister's property, and is afraid that it may overflow onto the property and into her house;
- Requested that landscape requirements not be reduced and asked that a vegetative buffer is provided between the development and abutting residences.

Planning staff stated that the letter mentioned by Mrs. Bolton was included in the comments available to the public.

Commissioners asked Mrs. Bolton if traffic on Moffett Road had subsided given the new State Route 158 diverting some of the traffic. Mrs. Bolton responded that it appeared to be the same volume.

Traffic Engineering staff stated that traffic count information was available for Moffett Road through the Alabama Department of Transportation (ALDOT) website. They also stated that people going to the Forest Hill Elementary School not far away on Moffett Road appeared to be able to access the school safely.

Rashawn Figures was present representing the developer and made the following points in rebuttal:

- There was no plan to reduce landscaping;
- The apartments would be market rate, with the affordability for age 55 and older;
- Traffic on Moffett Road was an ALDOT issue, however crosswalks for the elementary school help slow down traffic on Moffett Road and make this segment safer;
- Detention facilities would be built to City specifications;
- The development would be operated in accordance with the restrictions imposed by the State and Federal funding sources;
- The project supports the City's plan to provide affordable housing; and

- The project was time sensitive and must receive State approval by June 26th.

Engineering staff suggested that the applicant try to mimic sheet flow discharge rather than point-source discharges from the stormwater detention facilities.

Subdivision.

Motion to approve by Matt Anderson. Second by Josh Woods. 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. 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. Retention of the lot size label in both square feet and acres, or provision of a table on the Final Plat with the same information;
3. Retention of the 25-foot minimum front yard setback line along Moffett Road where the lot is at least 60 feet in width, in compliance with Section 6.C.8. of the Subdivision Regulations and Article 2 Section 64-2-7.E. of the Unified Development Code;
4. Completion of the Rezoning process 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 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.

Planned Unit Development Modification.

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;

- 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 25-foot front yard setback on the Final PUD site, adjusted for any required dedication resulting from the subdivision request;
2. Provision of the correct lot size in both square feet and acres on the Final PUD site plan, adjusted for any required dedication resulting from the subdivision request;
3. Revision of the Final PUD site plan to illustrate compliance with the bicycle parking provisions of Article 3, Section 64-3-12.A.9. of the UDC, including the minimum number and location requirements;
4. Revision of the site plan to illustrate a 24-foot-wide drive aisle to the rear of the community building providing access to a dumpster enclosure, unless the site is reconfigured for one-way traffic circulation requiring 14-foot-wide drive aisles;
5. Revision of the site plan to illustrate directional arrows for each of the drive aisles to depict on-site traffic circulation;
6. Provision of a note on the Final PUD site plan stating parking lot lighting will comply with the illumination standards of Section 64-3-9.C. of the UDC;
7. Revision of the Final PUD site plan to label each building with its size in square feet, or provision of a table on the Final PUD site plan with the same information;
8. If applicable, provide a corrected landscape area calculation on the Final PUD site plan;
9. Provision of a note on the Final PUD site plan stating the site will comply with the tree planting requirements of Article 3, Section 64-3-7;
10. Provision of a note on the Final PUD site plan stating any dumpster placed on the property must meet the enclosure and placement standards of Section 64-3-13.A.4. of the UDC;
11. Placement of a note on the Final PUD site plan stating future development or redevelopment of the properties may require additional modifications of the PUD to be approved by the Planning Commission and City Council;
12. Completion of the Rezoning process prior to approval of the Final PUD site plan;
13. Compliance with all Engineering comments noted in the staff report;
14. Compliance with all Traffic Engineering comments noted in the staff report;
15. Compliance with all Urban Forestry comments noted in the staff report;
16. Compliance with all Fire Department comments noted in the staff report;

17. 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 the provision of one (1) copy of the recorded site plan (hard copy and pdf) to Planning and Zoning; and,
18. Full compliance with all municipal codes and ordinances.

8. SUB-003264-2025 & MOD-003291-2025

Location: 5808 U.S. Highway 90 West
Subdivision Name: Resubdivision of Lot 2, Theodore Oaks Shopping Center
Applicant / Agent: Paradigm Investment Group, LLC
Council District: District 4
Proposal: Subdivision of 3 lots, 5.7± acres; and Major Modification of a previously approved Planned Unit Development allowing shared access and parking between multiple building sites, to modify lot lines in coordination with the proposed subdivision.

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

No one else was present regarding the applications.

Subdivision.

Motion to holdover by Matt Anderson. Second by Nick Amberger. Heldover until the June 12, 2025, meeting.

After discussion the Planning Commission heldover the request to the June 12th meeting to allow the applicant to do the following:

1. Provide owner authorization for the Subdivision application.

Planned Unit Development Modification.

Motion to holdover by Matt Anderson. Second by Nick Amberger. Heldover until the June 12, 2025, meeting.

After discussion the Planning Commission heldover the request to the June 12th meeting to allow the applicant to do the following:

1. Provide owner authorization for the Major Modification of a previously approved Planned Unit Development application.

9. SUB-003323-2025 & ZON-UDC-003283-2025 (Holdover)

Location: 720 Museum Drive
Subdivision Name: Fort Hardman Subdivision, Resubdivision of Lots 1 & 2
Applicant / Agent: Phillip Burton, Burton Property Group, LLC
Council District: District 7
Proposal: Subdivision of 2 lots, 6.07± acres; and Rezoning from Single-Family Residential Suburban District (R-1) to Neighborhood Business Suburban District (B-2), within the Neighborhood General sub-district of the Village of Spring Hill Overlay.

Planning staff advised the Commission of several necessary modifications to the proposed Subdivision conditions to address certain requirements of the Spring Hill Overlay found in Article 13 of the Unified Development Code, as well as Article 3.

Kathy Sherman of the Burton Property Group was present for the applications and made the following points:

- Due to the intent to acquire part of the existing fire station property, the Engineering comment regarding maintaining the existing stormwater detention facility needed to be changed;
- Proposed that comments regarding stormwater be subject to an agreement between the City and the developer, as new development on the site would require relocation of stormwater facilities.

Engineering staff stated that language regarding stormwater detention needed to be retained to ensure that the future development would provide any required stormwater to service the existing fire station and the new development.

Commissioners, staff and Mrs. Sherman discussed the stormwater issues.

Philip Burton, Linda St John, and Leigh Younce were present in support of the applications and made the following points:

- B-2 zoning exists next to the site thus the request was appropriate for the area;
- The Village of Spring Hill has worked with the Burton Property Group regarding the proposed development for approximately two years;
- The Burton Property Group streetscape improvements would match the Village of Spring Hill improvements;
- The Village of Spring Hill plan stated that this site should be a hotel;
- The site was adjacent to Langan Park and the tennis center, and near Spring Hill College and the University of South Alabama, all of which draw visitors who would benefit from the proposed development;

- The proposed development met all Village of Spring Hill plan vision and requirements and would be beneficial to the community;
- There was no contiguous residential property;
- Approval of this request would spur future development; and
- The development would be a great asset for the community.

Roosevelt Edwards, Chester Baker and Alonzo Yelling were present in opposition to the applications and made the following points:

- Concerned about impacts to infrastructure;
- Concerned that the streetscape would make it seem more industrialized due to an increasing number of power poles;
- Concerned about noise generated by the new development;
- Concerned that the development would increase bus traffic and cause additional traffic problems;
- Requested that the hours of operation of the proposed roof-top bar be limited due to noise concerns at night;
- Concerned that if the B-2 zoning is approved, other undesirable uses allowed in a B-2 district – such as car washes or fast food restaurants - would be developed instead of the proposed hotel;
- Suggested that the hours of operation and the number of people allowed at the proposed event center be restricted;
- Concerned about future lighting impacting neighborhoods;
- Concerned that parking for the event center would occur on Museum Drive, and requested that police officers be used to direct traffic and prevent parking on Museum Drive;
- Concerned that the development would have an adverse impact on the community;
- The McGregor Avenue and Museum Drive area was already congested with traffic due to the numerous schools in the area;
- Deliveries and dumpster servicing would exacerbate traffic problems and add noise; and
- Expressed concern that the hotel would bring unwanted outsiders into a family-friendly area – that it could attract sex offenders, human traffickers and child abductors.

Philip Burton of the Burton Property Group made the following points in his rebuttal:

- They were only seeking the rezoning of the property, not the specific hotel use;
- The images were a concept, with details still to be resolved;
- The City had a process to obtain proposals for the redevelopment of the property;
- Rezoning was required for any use other than single-family residential use; and
- The requested B-2 zoning was appropriate for the site.

Subdivision.

Motion to approve by Nick Amberger. Second by Matt Anderson. Approved. Kenny Nichols recused from voting.

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

1. Retention of the existing right-of-way widths on the Final Plat, as depicted on the preliminary plat;
2. Retention of the lot sizes in both square feet and acres on the Final Plat;
3. Depiction of the front yard setback along both street frontages, in compliance with Section 6.C.8. of the Subdivision Regulations and Article 13 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 13, and where applicable Article 3, of the Unified Development Code;
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 as revised: *“A traffic impact study will be required. 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 13, Spring Hill Overlay, and where applicable Article 3, Section 64-3-12, of the City’s Unified Development Code.”*;
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.

Rezoning.

Motion to approve by Matt Anderson. Second by Nick Amberger. Approved. Kenny Nichols recused from voting.

After discussion the Planning Commission determined 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; and
- B) 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 adversely impact neighboring properties; or
 - (4) Cause a loss in property values.

- C) Health, Safety and General Welfare. The proposed amendment promotes the community’s public health, safety, and general welfare.
- D) Capacity. The infrastructure is in place to accommodate the proposed amendment; and,
- E) Change. Changed or changing conditions in a particular area make an amendment necessary and desirable.
- F) 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**, to the City Council, subject to the following conditions:

1. Completion of the Subdivision process; and
2. Full compliance with all municipal codes and ordinances.

10. MOD-003325-2025 & MOD-003324-2025

Location: Northwest corner of Loyola Lane and Provident Lane
Applicant / Agent: St. Paul’s Episcopal School
Council District: District 7
Proposal: Major Modification of a previously approved Planning Approval allowing expansion of an existing church school in an R-1, Single-Family Residential Suburban District, to allow construction of a soccer field; and Major Modification of a previously approved Planned Unit Development amending a previously approved Master Plan for an existing church school in an R-1, Single-Family Residential Suburban District, to allow construction of a soccer field.

Sean Estes of McCrory & Williams was present for the applications and stated that the existing buildings would be removed from the site, as the school had decided not to keep any of them. He also asked what was meant by “adequate public facilities.”

Planning staff stated that “adequate public facilities” was not a condition, but an item to be considered as part of the Planning Approval and Planned Unit Development criteria.

No one else was present regarding the application.

Planning Approval Modification.

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 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. Revision of the site plan to update the narrative to reflect the currently proposed scope of operations.
2. Revision of the site plan to reflect the most recent modification numbers (MOD-003159-2024 and MOD-003160-2024);
3. Placement 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;
4. Submittal to and approval by Planning and Zoning of the revised Modified Planning Approval site plan prior to its recording in Probate Court, and the provision of a copy of the recorded site plan (.pdf) to Planning and Zoning; and,
5. Full compliance with all municipal codes and ordinances.

Planned Unit Development Modification.

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;
- 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. Revision of the site plan to update the narrative to reflect the currently proposed scope of operations.
2. Revision of the site plan to reflect the most recent modification numbers (MOD-003159-2024 and MOD-003160-2024);
3. Placement 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;
4. Submittal to and approval by Planning and Zoning of the revised Modified PUD site plan prior to its recording in Probate Court, and the provision of a copy of the recorded site plan (.pdf) to Planning and Zoning; and,
5. Full compliance with all municipal codes and ordinances.

OTHER BUSINESS

- **SUB-003235-2025**

Location: 812 Edwards Avenue
Subdivision Name: McConnell Addition to Edwards Avenue Subdivision
Applicant / Agent: John Michael Friess, JWTC, LLC
Council District: District 2
Proposal: Subdivision of 1 lot, 0.08± acres

Planning staff provided a brief overview of the issue before the Commission.

Jake Mosely of Polysurveying was present for the application and explained the request to amend the right-of-way dedication requirement.

Motion to approve by Matt Anderson. Second by Josh Woods. Approved. Kirk Mattei recused from voting.

After discussion the Planning Commission waived Sections 6.C.(a)(1) and 6.C.(b)(3) of the Subdivision Regulations and Tentatively Approved the request, subject to the following conditions, as amended:

1. Retention of the 30-foot-wide right-of-way along Edwards Avenue, as depicted on the preliminary plat;
2. Retention of the lot area labeled in both square feet and acres on the Final Plat adjusted for any required dedication; or placement of a table on the Final Plat with the same information will suffice;
3. Retention of the 5-foot minimum building setback along Edwards Avenue, in compliance with Article 2 Section 64-2-5.E. of the Unified Development Code;
4. Placement of a note on the Final Plat stating development of the site is subject to the applicable provisions of Article 11 of the UDC regarding the Africatown Overlay and Africatown Safety Zone regulations;
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.

- **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

Planning staff provided a brief overview of the issue before the Commission.

Zeke Hudson of Rowe Engineering & Surveying was present for the application and explained the request to waive the right-of-way dedication requirement.

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

1. Retention of the 30-foot-wide right-of-way along Twelfth Street, as depicted on the preliminary plat;
2. Revision of the plat to illustrate dedication sufficient to provide 25-feet from the centerline of Lincoln Boulevard;
3. Revision of the plat to illustrate dedication of a 25-foot corner radius at the intersection of Twelfth Street and Lincoln Boulevard, per Section 6.C.6. (or as approved by the City Engineer and the Traffic Engineering Director);
4. 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;
5. Retention of the 25-foot front yard setback along Lincoln Boulevard;
6. Revision of the plat to illustrate a 10-foot front yard setback along Twelfth Street, per Section 5.C.2(i), adjusted for dedication;
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.

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

February 2, 2023

February 15, 2023

March 2, 2023

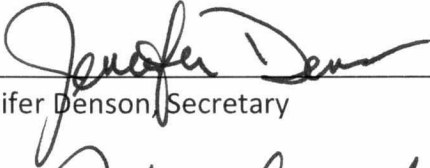
March 16, 2023

April 6, 2023

April 20, 2023

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

Minutes approved: March 19, 2026



Jennifer Denson, Secretary



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