

The Planning Commission met Monday, October 7, 2024, at 5:00 PM at the City Municipal Complex, 161 N. Section Street in the Council Chambers.

Present: Lee Turner; Harry Kohler; John Worsham; Hollie MacKellar; Erik Cortinas; Rebecca Bryant; Hunter Simmons, Planning and Zoning Director; Mike Jeffries, Development Services Manager; Michelle Melton, Planner; Chris Williams, City Attorney; and Cindy Beaudreau, Planning Clerk.

Absent: Jay Robinson, Clarice Hall-Black and Paul Fontenot

Chairman Turner called the meeting to order at 5:02 PM.

Approval of the Minutes September 5, 2024:

John Worsham made a motion to approve the minutes from September 5, 2024.

Hollie MacKellar seconded the motion and the motion carried unanimously with the following vote:

AYE: Lee Turner; Harry Kohler; John Worsham; Hollie MacKellar; Erik Cortinas

ABSTAIN: Rebecca Bryant

NAY: None.

Chairman Turner stated that Item J on the agenda would not be discussed at this meeting and the Comprehensive Plan Discussion will be moved to the end of the agenda.

Old/New Business

- Election of Officers

John Worsham made a motion to nominate the current officers of: Lee Turner, Chair; Rebecca Bryant, Vice-Chair and Cindy Beaudreau, Secretary.

Harry Kohler seconded the motion and the motion carried unanimously with the following vote:

AYE: Lee Turner; Harry Kohler; John Worsham; Hollie MacKellar; Erik Cortinas; Rebecca Bryant

NAY: None.

- Approval of 2025 Meeting Schedule

Erik Cortinas made a motion to approve the 2025 meeting schedule.

John Worsham seconded the motion and the motion carried unanimously with the following vote:

AYE: Lee Turner; Harry Kohler; John Worsham; Hollie MacKellar; Erik Cortinas; Rebecca Bryant

NAY: None.

Consideration of Agenda Items

A. UR 24.09 Request of C-Spire for an 11.52.11 Utility Review and approval of the proposed installation of approximately 14,770 LF of buried fiber cable at 202 N. Summit Street.

Summary: Hunter Simmons, Planning and Zoning Director, stated that staff has had an increase in calls and requested that C-Spire be responsible for their contractors. The contractors need to spend more time locating utilities in the ROWs. Mr. Simmons stated that staff is looking at implementing a consent agenda to be able to approve multiple UR cases with one vote. Mike Jeffries, Development Services Manager, presented the request of the Applicant, C-Spire for an 11.52.11 Utility Review and approval of the proposed installation of approximately 14,770 LF of buried fiber cable at 202 N. Summit Street. Mr. Jeffries shared the zoning and aerial maps.

Staff recommends conditional approval of UR 24.09 subject to the following conditions:

1. A pre-construction meeting shall be held with the City prior to issuance of any permits.
2. Consultation with the City's horticulturalist, to determine if the required depth of bore must be increased so that no trees are impacted by the project. **The contractor is responsible for any damaged trees.**
3. At all street crossing locations, conduct potholing to determine exact location and elevation of existing utilities. Reflect the exact elevation of utilities and GPS coordinates of the pothole locations on a set of as-built drawings.
 - a. An additional right-of-way permit may be required for the potholing procedures.
4. Follow-up activities below required by staff and the applicant:
 - a. Upon satisfactory review and approval by ROW Construction Inspector, as-builts will be submitted to the GIS Supervisor for inclusion in GIS utility maps as needed.
5. Provide draft door hanger for approval at time of pre-construction.
6. Approved door hangers shall be in place no later than **7 days** prior to construction.
7. Provide a Traffic Control Plan to ROW Inspector prior to commencement of any work.
8. Ensure enough space for proposed work is available within existing easement, if not applicant is responsible for either expanding existing easement or acquiring an additional easement.
9. Applicant shall contact Alabama One Call to locate all existing utilities (1000ft max per day).
10. Utilities boxes shall be concentrated near existing boxes.
11. For permitting purposes, applicants shall provide subsurface utility engineering quality-level C, unless otherwise required by the Fairhope Building Department.

Chairman Turner allowed the public to speak about these cases.

Bob Comstock, 114 N Bayview, is against adding a third internet provider stating there is no room in the ROW in front of his house. Mr. Comstock added that the subcontractors do not keep to the limits of daily installation and are consistently leaving a mess. Mr. Comstock requested that the work for UR 24.09 be placed on the north side of Oak Street.

Eric Zubler, 105 Powell Street, stated that his house was ruined due to the contracting hitting the sewer line near his house and the contractors had to remove a Japanese maple. Mr. Zubler does not want the neighborhood messed up again and asked that this project not be approved in the Bluffs neighborhood.

Mr. Simmons stated he will pass these comments along to the ROW Inspector.

Chris Williams stated that the Planning Commission has the purview to review the location, character and extent of the utility infrastructure.

Erik Cortinas has two ROW Inspectors, a Utility Inspector who can coordinate with Jamie Rollins, Horticulturist, so more people can keep track of the project.

Rebecca Bryant stated that she has not seen oversight for the trees in the field.

Mr. Simmons stated that this case could be tabled so more information can be requested from C-Spire.

John Worsham made a motion to table UR 24.09 until the November Planning Commission meeting.

Erik Cortinas seconded the motion and the motion carried unanimously with the following vote:

AYE: Lee Turner; Harry Kohler; John Worsham; Hollie MacKellar; Erik Cortinas; Rebecca Bryant

NAY: None.

B. UR 24.10 Request of C-Spire for an 11.52.11 Utility Review and approval of the proposed installation of approximately 27,968 LF of buried fiber cable at 818 Fairhope Avenue.

Summary: Mike Jeffries, Development Services Manager, presented the request of the Applicant, C-Spire for an 11.52.11 Utility Review and approval of the proposed installation of approximately 27,968 LF of buried fiber cable at 818 Fairhope Avenue. Mr. Jeffries shared the zoning and aerial maps.

Staff recommends conditional approval of UR 24.10 subject to the following conditions:

1. A pre-construction meeting shall be held with the City prior to issuance of any permits.
2. Consultation with the City's horticulturalist, to determine if the required depth of bore must be increased so that no trees are impacted by the project. **The contractor is responsible for any damaged trees.**
3. At all street crossing locations, conduct potholing to determine exact location and elevation of existing utilities. Reflect the exact elevation of utilities and GPS coordinates of the pothole locations on a set of as-built drawings.
 - a. An additional right-of-way permit may be required for the potholing procedures.
4. Follow-up activities below required by staff and the applicant:
 - a. Upon satisfactory review and approval by ROW Construction Inspector, as-builts will be submitted to the GIS Supervisor for inclusion in GIS utility maps as needed.
5. Provide draft door hanger for approval at time of pre-construction.
6. Approved door hangers shall be in place no later than **7 days** prior to construction.
7. Provide a Traffic Control Plan to ROW Inspector prior to commencement of any work.
8. Ensure enough space for proposed work is available within existing easement, if not applicant is responsible for either expanding existing easement or acquiring an additional easement.
9. Applicant shall contact Alabama One Call to locate all existing utilities (1000ft max per day).
10. Utilities boxes shall be concentrated near existing boxes.
11. For permitting purposes, applicants shall provide subsurface utility engineering quality-level C, unless otherwise required by the Fairhope Building Department.

Erik Cortinas made a motion to approve UR 24.10 with staff recommendations.

Hollie MacKellar seconded the motion and the motion carried unanimously with the following vote:

AYE: Lee Turner; Harry Kohler; John Worsham; Hollie MacKellar; Erik Cortinas; Rebecca Bryant
NAY: None.

C. UR 24.11 Request of C-Spire for an 11.52.11 Utility Review and approval of the proposed installation of approximately 3,172 LF of buried fiber cable at 9051 Feather Trail.

Summary: Mike Jeffries, Development Services Manager, presented the request of the Applicant, C-Spire for an 11.52.11 Utility Review and approval of the proposed installation of approximately 3,172 LF of buried fiber cable at 9051 Feather Trail. Mr. Jeffries shared the zoning and aerial maps.

Staff recommends conditional approval of UR 24.11 subject to the following conditions:

1. A pre-construction meeting shall be held with the City prior to issuance of any permits.
2. Consultation with the City's horticulturalist, to determine if the required depth of bore must be increased so that no trees are impacted by the project. **The contractor is responsible for any damaged trees.**
3. At all street crossing locations, conduct potholing to determine exact location and elevation of existing utilities. Reflect the exact elevation of utilities and GPS coordinates of the pothole locations on a set of as-built drawings.
 - a. An additional right-of-way permit may be required for the potholing procedures.
4. Follow-up activities below required by staff and the applicant:
 - a. Upon satisfactory review and approval by ROW Construction Inspector, as-builts will be submitted to the GIS Supervisor for inclusion in GIS utility maps as needed.
5. Provide draft door hanger for approval at time of pre-construction.
6. Approved door hangers shall be in place no later than **7 days** prior to construction.
7. Provide a Traffic Control Plan to ROW Inspector prior to commencement of any work.
8. Ensure enough space for proposed work is available within existing easement, if not applicant is responsible for either expanding existing easement or acquiring an additional easement.
9. Applicant shall contact Alabama One Call to locate all existing utilities (1000ft max per day).
10. Utilities boxes shall be concentrated near existing boxes.
11. For permitting purposes, applicants shall provide subsurface utility engineering quality-level C, unless otherwise required by the Fairhope Building Department.

John Worsham made a motion to approve UR 24.11 with staff recommendations.

Erik Cortinas seconded the motion and the motion carried unanimously with the following vote:

AYE: Lee Turner; Harry Kohler; John Worsham; Hollie MacKellar; Erik Cortinas; Rebecca Bryant
NAY: None.

D. UR 24.12 Request of C-Spire for an 11.52.11 Utility Review and approval of the proposed installation of approximately 4,837 LF of buried fiber cable at 102 Majors Run.

Summary: Mike Jeffries, Development Services Manager, presented the request of the Applicant, C-Spire for an 11.52.11 Utility Review and approval of the proposed installation of approximately 4,837 LF of buried fiber cable at 102 Majors Run. Mr. Jeffries shared the zoning and aerial maps.

Staff recommends conditional approval of UR 24.12 subject to the following conditions:

1. A pre-construction meeting shall be held with the City prior to issuance of any permits.
2. Consultation with the City's horticulturalist, to determine if the required depth of bore must be increased so that no trees are impacted by the project. **The contractor is responsible for any damaged trees.**
3. At all street crossing locations, conduct potholing to determine exact location and elevation of existing utilities. Reflect the exact elevation of utilities and GPS coordinates of the pothole locations on a set of as-built drawings.
 - a. An additional right-of-way permit may be required for the potholing procedures.
4. Follow-up activities below required by staff and the applicant:
 - a. Upon satisfactory review and approval by ROW Construction Inspector, as-builts will be submitted to the GIS Supervisor for inclusion in GIS utility maps as needed.
5. Provide draft door hanger for approval at time of pre-construction.
6. Approved door hangers shall be in place no later than **7 days** prior to construction.
7. Provide a Traffic Control Plan to ROW Inspector prior to commencement of any work.
8. Ensure enough space for proposed work is available within existing easement, if not applicant is responsible for either expanding existing easement or acquiring an additional easement.
9. Applicant shall contact Alabama One Call to locate all existing utilities (1000ft max per day).
10. Utilities boxes shall be concentrated near existing boxes.
11. For permitting purposes, applicants shall provide subsurface utility engineering quality-level C, unless otherwise required by the Fairhope Building Department.

John Worsham made a motion to approve UR 24.12 with staff recommendations.

Hollie MacKellar seconded the motion and the motion carried unanimously with the following vote:

AYE: Lee Turner; Harry Kohler; John Worsham; Hollie MacKellar; Erik Cortinas; Rebecca Bryant
NAY: None.

E. UR 24.13 Request of C-Spire for an 11.52.11 Utility Review and approval of the proposed installation of approximately 9,533 LF of buried fiber cable at 8933 Nichols Avenue.

Summary: Mike Jeffries, Development Services Manager, presented the request of the Applicant, C-Spire for an 11.52.11 Utility Review and approval of the proposed installation of approximately 9,533 LF of buried fiber cable at 8933 Nichols Avenue. Mr. Jeffries shared the zoning and aerial maps.

Staff recommends conditional approval of UR 24.13 subject to the following conditions:

1. A pre-construction meeting shall be held with the City prior to issuance of any permits.
2. Consultation with the City's horticulturalist, to determine if the required depth of bore must be increased so that no trees are impacted by the project. **The contractor is responsible for any damaged trees.**
3. At all street crossing locations, conduct potholing to determine exact location and elevation of existing utilities. Reflect the exact elevation of utilities and GPS coordinates of the pothole locations on a set of as-built drawings.
 - a. An additional right-of-way permit may be required for the potholing procedures.
4. Follow-up activities below required by staff and the applicant:
 - a. Upon satisfactory review and approval by ROW Construction Inspector, as-builts will be submitted to the GIS Supervisor for inclusion in GIS utility maps as needed.
5. Provide draft door hanger for approval at time of pre-construction.
6. Approved door hangers shall be in place no later than **7 days** prior to construction.
7. Provide a Traffic Control Plan to ROW Inspector prior to commencement of any work.
8. Ensure enough space for proposed work is available within existing easement, if not applicant is responsible for either expanding existing easement or acquiring an additional easement.
9. Applicant shall contact Alabama One Call to locate all existing utilities (1000ft max per day).
10. Utilities boxes shall be concentrated near existing boxes.
11. For permitting purposes, applicants shall provide subsurface utility engineering quality-level C, unless otherwise required by the Fairhope Building Department.

John Worsham made a motion to approve UR 24.13 with staff recommendations.

Harry Kohler seconded the motion and the motion carried unanimously with the following vote:

AYE: Lee Turner; Harry Kohler; John Worsham; Hollie MacKellar; Erik Cortinas; Rebecca Bryant
NAY: None.

F. UR 24.14 Request of C-Spire for an 11.52.11 Utility Review and approval of the proposed installation of approximately 4,777 LF of buried fiber cable at 120 Stratford Street.

Summary: Mike Jeffries, Development Services Manager, presented the request of the Applicant C-Spire for an 11.52.11 Utility Review and approval of the proposed installation of approximately 4,777 LF of buried fiber cable at 120 Stratford Street. Mr. Jeffries shared the zoning and aerial maps.

Staff recommends conditional approval of UR 24.14 subject to the following conditions:

1. A pre-construction meeting shall be held with the City prior to issuance of any permits.
2. Consultation with the City's horticulturalist, to determine if the required depth of bore must be increased so that no trees are impacted by the project. **The contractor is responsible for any damaged trees.**
3. At all street crossing locations, conduct potholing to determine exact location and elevation of existing utilities. Reflect the exact elevation of utilities and GPS coordinates of the pothole locations on a set of as-built drawings.
 - a. An additional right-of-way permit may be required for the potholing procedures.
4. Follow-up activities below required by staff and the applicant:

- a. Upon satisfactory review and approval by ROW Construction Inspector, as-builts will be submitted to the GIS Supervisor for inclusion in GIS utility maps as needed.
5. Provide draft door hanger for approval at time of pre-construction.
6. Approved door hangers shall be in place no later than **7 days** prior to construction.
7. Provide a Traffic Control Plan to ROW Inspector prior to commencement of any work.
8. Ensure enough space for proposed work is available within existing easement, if not applicant is responsible for either expanding existing easement or acquiring an additional easement.
9. Applicant shall contact Alabama One Call to locate all existing utilities (1000ft max per day).
10. Utilities boxes shall be concentrated near existing boxes.
11. For permitting purposes, applicants shall provide subsurface utility engineering quality-level C, unless otherwise required by the Fairhope Building Department.

John Worsham made a motion to approve UR 24.14 with staff recommendations.

Hollie MacKellar seconded the motion and the motion carried unanimously with the following vote:

AYE: Lee Turner; Harry Kohler; John Worsham; Hollie MacKellar; Erik Cortinas; Rebecca Bryant
NAY: None.

G. SR 24.03 Request of the Applicant, Jade Consulting, LLC on behalf of the Owner, Encounter Development, LLC, for Site Plan Approval of Sherwin Williams. The property is approximately 0.894 acres and is zoned B-2 – General Business District. The property is located on the northeast corner of State Highway 181 and State Highway 104. **PPIN #: 108453**

Summary: Michelle Melton, City Planner, presented the request of the Applicant, Jade Consulting, LLC on behalf of the Owner, Encounter Development, LLC, for Site Plan Approval of Sherwin Williams. The property is approximately 0.894 acres and is zoned B-2 – General Business District. Ms. Melton shared the zoning and aerial maps.

Staff recommends approval of SR 24.03 to the City Council.

Paul Marcinko, Jade Consulting, stated that the apron on the east side is not needed and it could be added later if necessary.

Chairman Turner asked what the apron would be used for. Mr. Simmons stated that some lots 2-6 in the Encounter Development have a limit of 3 entrances to Bushell Drive. There is no requirement to install the apron but if the apron is removed, staff would require a revised landscape plan prior to taking to the City Council.

Rebecca Bryant made a motion to recommend SR 24.03 to City Council with the following condition:

1. The apron can be removed and a revised landscape plan to be received prior to taking to the City Council.

John Worsham seconded the motion and the motion carried unanimously with the following vote:

AYE: Lee Turner; Harry Kohler; John Worsham; Hollie MacKellar; Erik Cortinas; Rebecca Bryant
NAY: None.

H. SR 24.04 Request of the Applicant, S.E. Civil on behalf of the Owner, FST Fargason, Peter, for Site Plan Approval of Aubergine. The property is approximately 0.10 acres and is zoned B-2 – General Business District. The property is located at 315 De La Mare Avenue #A. **PPIN #: 68209**

Mike Jeffries, Development Services Manager, presented the request of the Applicant, S.E. Civil, on behalf of the Owner, FST Fargason, Peter, for Site Plan Approval of Aubergine. The property is approximately 0.10 acres and is zoned B-2 – General Business District. The property is located at 315 De La Mare Avenue #A. Mr. Jeffries shared the plat and site data. Mr. Jeffries stated that the existing building footprint would remain the same, only the second floor is being added.

Staff recommends approval of SR 24.04 to the City Council with the following condition:

1. Draft and record in Baldwin County Probate an ingress/egress/utility easement from John Bethea and provide a recorded copy of said easement to Planning & Zoning prior to applying for a permit.

Mr. Cortinas asked about the fire flow. Since this was done during the City's water conservation period, how long ago was the fire flow completed.

Larry Smith, S.E. Civil, stated that it is about a year and a half old, but due to the improvements in that area, the fire flow should be even better now.

Chairman Turner asked if when the original building was built, was there a plan to add another story. Mac Walcott, WAV Architects, stated that the front portion of the building is designed for a second story and the back will be beefed up to allow for the second story.

John Worsham made a motion to recommend SR 24.04 to City Council with staff recommendations.

Rebecca Bryant seconded the motion and the motion carried unanimously with the following vote:

AYE: Lee Turner; Harry Kohler; John Worsham; Hollie MacKellar; Erik Cortinas; Rebecca Bryant
NAY: None.

I. SD 24.22 Public hearing to consider the request of the Applicant, S.E. Civil, on behalf of the Owner, FST Fargason, Peter, for preliminary plat approval of Aubergine, a 4-unit multiple occupancy project. The property is zoned B-2, General Business District. The property is approximately 0.10 acres and is located at 315 De La Mare Avenue #A. **PPIN #: 68209**

Mike Jeffries, Development Services Manager, presented the request of the Applicant, S.E. Civil, on behalf of the Owner, FST Fargason, Peter, for preliminary plat approval of Aubergine, a 4-unit multiple occupancy project. The property is zoned B-2, General Business District. The property is approximately 0.10 acres and is located at 315 De La Mare Avenue #A. Mr. Jeffries shared the zoning and aerial maps.

Staff recommends approval of SD 24.22 with the following conditions:

1. Draft and record in Baldwin County Probate an ingress/egress/utility easement from John Bethea and provide a recorded copy of said easement to Planning & Zoning prior to applying for a permit.
2. Approval of Site Plan Review by City Council.

Chairman Turner opened the public hearing at 5:48pm. Having no one present to speak, the public hearing was closed at 5:48pm.

Hollie MacKellar made a motion to recommend SD 24.22 with staff recommendations.

John Worsham seconded the motion and the motion carried unanimously with the following vote:

AYE: Lee Turner; Harry Kohler; John Worsham; Hollie MacKellar; Erik Cortinas; Rebecca Bryant

NAY: None.

J. SD 24.21 Public hearing to consider the request of the City of Fairhope's Planning and Zoning Department to accept Resolution 2024-01 for various proposed amendments to Article IV of the City of Fairhope's Subdivision Regulations.

This item was delayed until the November Planning Commission meeting.

K. ZC 24.06 Public hearing to consider the request of the Applicant, S.E. Civil, on behalf of the Owner, 181 Fairhope Ave 2023, LLC, to rezone property from PUD, Planned Unit Development to PUD, Planned Unit Development – Mixed Use, to be known as Eastlake Village. The property is approximately 75.73 acres and is located at 20741 State Highway 181. **PPINS #: 236701, 24160, 316793**

Hunter Simmons, Planning and Zoning Director, presented the request of the Applicant, S.E. Civil, on behalf of the Owner, 181 Fairhope Ave 2023, LLC, to rezone property from PUD, Planned Unit Development to PUD, Planned Unit Development – Mixed Use, to be known as Eastlake Village. The property is approximately 75.73 acres and is located at 20741 State Highway 181. Mr. Simmons shared the zoning and aerial maps. Mr. Simmons shared locations in the City of "Village Nodes" and Place Types maps and explained that the 2016 Comprehensive Plan shows the intersection of Fairhope Avenue and Highway 181 is a proposed "Village Node" with the standards for that type of development. Mr. Simmons then explained the differences between a Village Districts (CVC, VRM) vs. a Planned Unit Development (PUD) and stated that the Village Districts meets Fairhope regulations. Mr. Simmons shared the building height plan and where many of these buildings exceed the building height requirements. As proposed, this development would require many exceptions and described some of these exceptions. Mr. Simmons then discussed the current inconsistencies comparing the recommended guidelines and the proposed guidelines as submitted.

Staff recommends denial of ZC 24.06.

Drew Dolan, 68 Ventures, stated that their vision is to create a village center mixed-use master plan and explained the project layout and design. Mr. Dolan shared a slide show and video presentation.

Jared Calhoun, Nequette Architecture and Design, 227 2nd Avenue N, Birmingham, stated that this plan is community focused with a variety of housing options and how the different user groups support this type of community. Mr. Calhoun shared the zoning diagram that shows a combination of a village residential mix and a community village center. Mr. Calhoun then addressed some of the inconsistencies that were stated earlier and explained the reasoning for the density, building heights, setback/lot size and parking deviations in the development.

Mr. Worsham stated that the division into CVC and VRM looks arbitrary. Mr. Calhoun stated that he was working to concentrate the commercial node at the intersection of Fairhope Avenue and Highway 181 to catch the street end and the rest was based on uses and distribution on site. Mr. Worsham stated that the divisions do not match up with the phasing and asked if that was a way to get around the density requirements for a VRM. Mr. Calhoun stated that may change the density category in the VRM and the mix of uses and how he was working to keep the single-family, detached and townhomes in the VRM and the townhomes are accommodated in both districts. Anything that had commercial space would need to be placed in the CVC.

Chairman Turner opened the public hearing at 6:39pm.

Mac Walcott, 233 Live Oak Street, stated that he is fascinated with the quality and intent of this development and approves of the project.

The public hearing was closed at 6:41pm.

Chairman Turner does not have issues with the plan overall, but is concerned with Statement F, that states the intent to sell and would like a guarantee for the details shown in the project. Mr. Turner would like the developer to work more with staff on a guarantee for the details.

Mr. Worsham agrees with Mr. Turner.

Ms. MacKellar agrees and would like the details in writing.

Rebecca Bryant is concerned for future owners and asked if this is a Village District or a PUD. Ms. Bryant stated that she would like it to be a Village District.

Mr. Cortinas loves the concept and asked how easy it would be to make a quick guess of the water usage that will be required for this development. Mr. Cortinas shared the improvements to the City water system and would not like to lose it all to a single development.

Mr. Dolan believes that the design book included with the packet would govern the architecture, and that phase 1 will be the infrastructure and phase 2 will be the multifamily which will include 35 – 40K square feet of commercial. Mr. Dolan addressed the Village District vs. a PUD and stated that this development is a PUD and how the design book with the guidelines will be followed.

Mr. Dolan requested that the Planning Commission table the project to meet with staff. Mr. Turner shared his interest in attending the meeting once it is scheduled. Mr. Simmons added that the guidelines have good components to them with architectural designs, but the guidelines are not referenced. Mr.

Simmons stated that the dimensions and space break-up should be included. Mr. Simmons is concerned with setting a building height precedent in the future.

John Worsham made a motion to table ZC 24.06 until the December Planning Commission meeting.

Erik Cortinas seconded the motion and the motion carried unanimously with the following vote:

AYE: Lee Turner; Harry Kohler; John Worsham; Hollie MacKellar; Erik Cortinas; Rebecca Bryant

NAY: None.

Old/New Business (Cont'd)

- Comprehensive Plan Discussion

Mr. Simmons, Planning and Zoning Director, stated that due to the RESTORE project and deadline, staff plans to bring the 2024 Comprehensive Plan to the Planning Commission at the November meeting.

Mr. Cortinas shared some concerns related to:

- Flood zones and setbacks around flood plains. The City prohibits habitable buildings in floodways. There are guidelines for new developments in and around floodplains currently listed in the Flood Damage Prevention Ordinance.
- Design standards discuss a Technical Design Review Committee and if the City is looking to create that committee. Mr. Simmons stated that there is a potential for a committee that would review signage, historic buildings, etc. and be a recommendation rather than a regulatory committee.
- Bioswales, permeable pavement and bioretention are addressed in the City Building Code Supplement. Mr. Cortinas does not want the Comprehensive Plan to conflict with them.
- The Historic Preservation section is being addressed now with the creation of the City Historic Preservation Commission.
- Encourage the development of private paved parking. Mr. Cortinas's first thought was the customer cost of private paved parking. Mr. Simmons stated that these are options that developers can look at when considering a project. Mr. Cortinas is concerned that developers will build a lot of parking lots rather than buildings just to make money.
- The regulation of LSVs and where they are allowed. Mr. Cortinas stated his willingness to help write that ordinance.
- Coordinating with Baldwin County Board of Education. Mr. Cortinas stated that the developer should be required to get a letter from them acknowledging they are aware of new developments. Mr. Simmons stated that staff has a good working relationship with them, but the timeframes are sometimes hard to work with.
- Allowing ADUs. Mr. Cortinas added that he has received many calls from residents about family wanting to move adult children and/or parents that need care onto their property. Mr. Simmons stated that the City may be able to try it in some areas.
- Disallowing single-family attached and duplexes broadly across the CBD. Mr. Cortinas suggested limiting the size of them. Mr. Simmons stated that the challenge is when someone builds a house in the CBD and then complains about the noise and traffic in the area.

Adjournment

Erik Cortinas made a motion to adjourn.

AYE: Lee Turner; Harry Kohler; John Worsham; Hollie MacKellar; Erik Cortinas; Rebecca Bryant
NAY: None.

Adjourned at 7:24pm.



Lee Turner, Chairman
Cindy Beaudreau, Secretary