

The Planning Commission met Monday, November 4, 2024, at 5:00 PM at the City Municipal Complex, 161 N. Section Street in the Council Chambers.

Present: Lee Turner; Harry Kohler; Paul Fontenot; 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: Kevin Boone, John Worsham, and Clarice Hall-Black

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

Chairman Turner explained that the Planning Commission had moved to a consent agenda and a regular agenda and how those would work in this meeting and future meetings.

Consent Agenda

- Approval of the Minutes October 7, 2024
- **SD 21.43** Harvest Green East Phase 2 - Request of Applicant, S.E. Civil, LLC for a second extension of one-year for preliminary plat
- **SD 21.45** Harvest Green West Phase 2 - Request of Applicant, S.E. Civil, LLC for a second extension of one-year for preliminary plat
- **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.
- **UR 24.15** Request of C-Spire for an 11.52.11 Utility Review and approval of the proposed installation of approximately 6,871 LF of buried fiber cable at 9445 Valor Drive.
- **UR 24.17** Request of C-Spire for an 11.52.11 Utility Review and approval of the proposed installation of approximately 7,672 LF of buried fiber cable at 2 Hoffren Drive.
- **UR 24.18** Request of C-Spire for an 11.52.11 Utility Review and approval of the proposed installation of approximately 8,606 LF of buried fiber cable at 845 Summer Lake.

Hunter Simmons, Planning and Zoning Director, shared the information for each item listed on the Consent Agenda. The two requests for extensions have no staff recommendations. All utility reviews have 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.

Will Couch, C-Spire, stated that it is possible to move the installation to the west side of the road for UR 24.09.

Chairman Turner asked if anyone would like to speak on any items from the consent agenda.

Donald DeGutz, 110 Blakeney, had two concerns regarding UR 24.09 and asked C-Spire to withdraw their request.

Mr. Couch addressed Mr. DeGutz's concerns.

Carl Sphinx, 361 N. Summit, was concerned about his yard being trashed and the process for removing unused utilities but was in support of having more than one utility in the area.

Erik Cortinas made a motion to approve the items on the consent agenda with staff recommendations.

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

AYE: Lee Turner; Harry Kohler; Paul Fontenot; Hollie MacKellar; Erik Cortinas; Rebecca Bryant

NAY: None.

Old Business

- No old business

New Business

- A. SR 24.05** Request of the Applicant, Jade Consulting, LLC on behalf of the Owner, Encounter Development, LLC, for Site Plan Approval of Encounter House Relocation – Lot 11. The property is approximately 1.02 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 #: 627501**

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 Encounter House Relocation – Lot 11. The property is approximately 1.02 acres and is zoned B-2 – General Business District. Ms. Melton shared the zoning and aerial maps.

Staff recommends approval of SR 24.05 to the City Council with the following condition:

1. Provide a revised landscape plan that complies with the Tree Ordinance.

Discussion was held regarding:

- Pervious parking spaces
- Whether the trees on Lot 6 would be preserved
- Requesting that future landscape plans include the height of the plantings

Thomas Luce, Jade Consulting, stated that all landscape questions will be given to his office for consideration and added that they are proposing pervious concrete for parking spaces.

Rebecca Bryant made a motion to recommend SR 24.05 to City Council with staff recommendations.

Paul Fontenot seconded the motion and the motion carried unanimously with the following vote:

AYE: Lee Turner; Harry Kohler; Paul Fontenot; Hollie MacKellar; Erik Cortinas; Rebecca Bryant

NAY: None.

- B. SD 24.23** Public hearing to consider the request of the Applicant, Sawgrass Consulting, LLC, on behalf of the Owner, Rockwell, LLC, for Final Plat Approval of Rockwell Place, a 252-unit Multiple Occupancy Project. The property is approximately 20.91 acres and is located on the east side of State Highway 181, south of the Harvest Green East Subdivision and across from The Waters Subdivision. **PPIN #: 14535**

Mike Jeffries, Development Services Manager, presented the request of the Applicant, Sawgrass Consulting, LLC, on behalf of the Owner, Rockwell, LLC, for Final Plat Approval of Rockwell Place, a 252-unit Multiple Occupancy Project. The property is approximately 20.91 acres and is located on the east side of State Highway 181, south of the Harvest Green East Subdivision and across from The Waters Subdivision. Mr. Jeffries shared the zoning and aerial maps.

Staff recommends approval of SD 24.23 with the following conditions:

1. The area for the lift station shall be a deeded lot to the City of Fairhope.
2. Staff shall approve each phase, buildings and final site work, prior to issuance of any Certificate of Occupancy for individual buildings.
3. The Final MOP plat shall be signed and recorded after completion of the last phase. Staff will coordinate appropriate signature blocks and notes.
4. Upon completion of Phase 8, Staff will perform a final inspection of the public improvements prior to submitting an Acceptance Resolution to the Fairhope City Council.
5. A letter confirming all onsite Sewer, Water, and drives are to remain privately maintained and is not the responsibility of the City of Fairhope or Baldwin County signed by the development owner.
6. A complete As-Built set and GIS shapefiles shall be provided as part of the close out of the final phase.

Chairman Turner opened the public hearing at 6:05pm. Having no one present to speak, the public hearing was closed at 6:05pm.

Erik Cortinas made a motion to recommend SD 24.23 with staff recommendations including:

7. No building shall be occupied until ALDOT has approved the use of Rockwell Boulevard for public access.

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

AYE: Lee Turner; Harry Kohler; Paul Fontenot; Hollie MacKellar; Erik Cortinas; Rebecca Bryant

NAY: None.

- C. Public hearing to consider the request from the City of Fairhope Planning and Zoning Department, for approval of Resolution 2024-02 for Comprehensive Plan 2024 approval.

Hunter Simmons, Planning and Zoning Director, presented the request from the City of Fairhope Planning and Zoning Department, for approval of Resolution 2024-02 for Comprehensive Plan 2024 approval.

Chairman Turner opened the public hearing at 6:10pm.

Gary Gover, 300 Lincoln Street, shared his concerns regarding an annual progress review and the Safe Streets for All Master Plan.

Donald DeGutz, 110 Blakeney Avenue, requested that Alabama State Law 11.52.9 be placed back into the Comprehensive Plan.

The public hearing was closed at 6:17pm.

Rebecca Bryant made a motion to approve Resolution 2024-02.

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

AYE: Lee Turner; Harry Kohler; Paul Fontenot; Hollie MacKellar; Erik Cortinas; Rebecca Bryant

NAY: None.

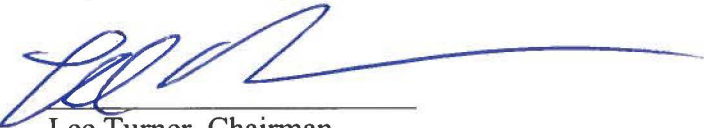
Adjournment

Erik Cortinas made a motion to adjourn.

AYE: Lee Turner; Harry Kohler; Paul Fontenot; Hollie MacKellar; Erik Cortinas; Rebecca Bryant

NAY: None.

Adjourned at 6:18pm.



Lee Turner, Chairman



Cindy Beaudreau, Secretary