

The Planning Commission met Monday, December 2, 2024, at 5:00 PM at the City Municipal Complex, 161 N. Section Street in the Council Chambers.

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

Absent: Paul Fontenot and Erik Cortinas

Chairman Turner called the meeting to order at 5:00 PM.

Consent Agenda

- Approval of the Minutes November 4, 2024
- **UR 24.16** Request of C-Spire for an 11.52.11 Utility Review and approval of the proposed installation of approximately 11,988 LF of buried fiber cable at 100 Vivian Loop.

Hunter Simmons, Planning and Zoning Director, shared the information for the Utility Review which has 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 the items on the consent agenda with staff recommendations.

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

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

Old Business

- No old business

New Business

A. SD 24.20 Public hearing to consider the request of the Applicant, The Woodlands Group, on behalf of the Owner, Mary Crumpton, for preliminary and final plat approval of Magnolia Beach Estates, a 2-lot minor subdivision. The property is zoned R-2, Medium Density Single-Family Residential District. The property is approximately 2.4 acres and is located at 104 Laurel Avenue. **PPIN #36014**

Mike Jeffries, Development Services Manager, presented the request of the Applicant, The Woodlands Group, on behalf of the Owner, Mary Crumpton, for preliminary and final plat approval of Magnolia Beach Estates, a 2-lot minor subdivision. The property is zoned R-2, Medium Density Single-Family Residential District. Mr. Jeffries shared the zoning and aerial maps.

Staff recommends approval of SD 24.20 with the following conditions:

1. Installation of the sidewalk along Laurel Avenue the length of the property.
2. Provide a new name for the subdivision to be approved by the Planning Director.
3. Wetland buffer signs are reflected on the plat and installed prior to the final signature of the plat.
4. Provide a signature block for Fairhope Gas on the plat.
5. Adjust the site data table to reflect the minimum lot size at 10,500 sf.

Chairman Turner opened the public hearing at 5:06pm.

Justin Palmer, The Woodlands Group, requested that no sidewalks be required.

Michael White, 109 Laurel, supports requiring no sidewalks.

Mr. Jeffries stated that Fairhope Utilities supports sidewalks on the south side.

The public hearing was closed at 5:12pm.

John Worsham made a motion to approve SD 24.20 with staff recommendations.

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

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

B. SR 24.06 Request of the Applicant, Civil Consultants, Inc., on behalf of the Owner, Corte, Cave/Mitchell 1, LLC, for Site Plan Approval of Express Oil Change. The property is approximately 0.99 acres and is zoned B-2 – General Business District. The property is located at 22179 State Highway 181. **PPIN #: 626313**

Hunter Simmons, Planning and Zoning Director, presented the request of the Applicant, Civil Consultants, Inc., on behalf of the Owner, Corte, Cave/Mitchell 1, LLC, for Site Plan Approval of

Express Oil Change. The property is approximately 0.99 acres and is zoned B-2 – General Business District. The property is located at 22179 State Highway 181. Mr. Simmons shared the zoning and aerial maps.

Staff recommends approval of SR 24.06 to the City Council with the following conditions:

1. Update site data table to reflect percentage of lot covered by building (~13%).
2. Signage must conform to the Sign Ordinance.
3. Revised Landscape Plan will be required that addresses all concerns mentioned in the staff report and during the meeting and shall be approved by staff prior to submission of the site plan to the City Council for final approval.
4. ALDOT consent/confirmation to use ROW off AL Hwy 181.

Discussion was held regarding:

- Pervious parking spaces and bioretention
- Screening will be required to be replaced if any should die

J.T. Murphy, CCI, stated that the client has declined to change the parking but will consider bioretention.

John Worsham made a motion to recommend SR 24.06 to City Council with staff recommendations:

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

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

C. ZC 24.09 Public hearing to consider the request of the Applicant, Jay Broughton, on behalf of the Owner, Tallawampa Properties LLC, for conditional annexation to R-2, Medium Density Single-Family Residential District, to be known as the Tallawampa Subdivision. The property is approximately 5.20 acres and is located at 0 Gayfer Road Extension. **PPIN #: 13818**

Mike Jeffries, Development Services Manager, presented the request of the Applicant, Jay Broughton, on behalf of the Owner, Tallawampa Properties LLC, for conditional annexation to R-2, Medium Density Single-Family Residential District, to be known as the Tallawampa Subdivision. The property is approximately 5.20 acres and is located at 0 Gayfer Road Extension. Mr. Jeffries shared the zoning and aerial maps.

Staff recommends denial of ZC 24.09.

Anderson Reed, Applicant, shared a presentation and requested that the Planning Commission consider rezoning the property to R-2 along with the conditional annexation, due to the areas surrounding this property.

Mr. Jeffries explained that the duplex property to the east of Tallawampa was in the County and annexed in as a PUD.

Mr. Simmons shared an explanation of the development pattern for that area.

Chairman Turner opened the public hearing at 5:45pm. Having no one present to speak, the public hearing was closed at 5:46.

John Worsham made a motion to recommend denial of ZC 24.09 to City Council.

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

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

D. ZC 24.10 Public hearing to consider the request of the Applicant, Dewberry, on behalf of the Owner, Brian Metcalf, to rezone property from R-1, Low Density Single-Family Residential District, to B-1, Local Shopping District. The property is approximately 2.06 acres and is located to the east of the terminus at Sweetwater Circle. **PPINS #: 243332, 281752, 281750, 57219**

Michelle Melton, City Planner, presented the request of the Applicant, Dewberry, on behalf of the Owner, Brian Metcalf, to rezone property from R-1, Low Density Single-Family Residential District, to B-1, Local Shopping District. The property is approximately 2.06 acres and is located to the east of the terminus at Sweetwater Circle. Ms. Melton shared the zoning and aerial maps.

Staff recommends approval of ZC 24.10 to City Council with the following staff recommendations:

1. A re-plat shall be recorded with the Baldwin County Probate to combine the four lots within the subject property into one lot and shall memorialize easements and required buffers.
2. Subject property shall be restricted to restaurant use only subject to approval by the Board of Adjustments.

Discussion was held regarding:

- Why rezone property to B-1 rather than B3a or B3b? B-1 matched closest with surrounding area.

Cathy Barnette, Dewberry, stated that wetlands have been added, the integrity of the area has been kept, re-platting to 1 lot will protect the use and they would condition the use on approval by the Board of Adjustments.

Chairman Turner opened the public hearing at 5:59pm. Having no one present to speak, the public hearing was closed at 5:59.

John Worsham made a motion to recommend approval of ZC 24.09 to City Council with staff recommendations.

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

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

Adjournment

Rebecca Bryant made a motion to adjourn.

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

Adjourned at 6:14pm.



Lee Turner, Chairman



Cindy Beaudreau, Secretary