

The Planning Commission met Monday, January 6, 2025, at 5:00 PM at the City Municipal Complex, 161 N. Section Street in the Council Chambers.

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

Absent: Harry Kohler

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

Consent Agenda

- Approval of the Minutes December 2, 2024

John Worsham made a motion to approve the minutes.

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

AYE: Lee Turner; Kevin Boone; John Worsham; Rebecca Bryant; Hollie MacKellar; Paul Fontenot and Erik Cortinas

NAY: None.

- **UR 25.01** Request of AT&T for an 11.52.11 Utility Review and approval of the proposed installation of approximately 4,573 LF of buried fiber cable at 7549 Assunta Court.
- **UR 25.02** Request of AT&T for an 11.52.11 Utility Review and approval of the proposed installation of approximately 3,929 LF of buried fiber cable at 20485 Lowry Drive.
- **UR 25.03** Request of AT&T for an 11.52.11 Utility Review and approval of the proposed installation of approximately 3,9534 LF of buried fiber cable at 200 Spring Lake Drive.
- **UR 25.04** Request of AT&T for an 11.52.11 Utility Review and approval of the proposed installation of approximately 3,676 LF of buried fiber cable at 19755 Greeno Road.
- **UR 25.05** Request of AT&T for an 11.52.11 Utility Review and approval of the proposed installation of approximately 9,058 LF of buried fiber cable at 811 Morphy Avenue.

Mike Jeffries, Development Services Manager, shared the information for the Utility Reviews which 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.

Kevin Boone would like to table all of the utility reviews until a representative from AT&T is present at a Planning Commission meeting.

John Worsham made a motion to table all of the utility reviews.

Kevin Boone seconded the motion and the motion carried unanimously with the following vote:

AYE: Lee Turner; Kevin Boone; John Worsham; Rebecca Bryant; Hollie MacKellar; Paul Fontenot and Erik Cortinas

NAY: None.

Old Business

- No old business

New Business

A. SR 25.01 Request of the Applicant, Erik Haeffs, on behalf of the Owner, FST and Encounter Development LLC, for Site Plan Approval of Waffle House. The property is approximately 1.05 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, Lot #10. **PPIN #: 627500**

Michelle Melton, City Planner, presented the request of the Applicant, Erik Haeffs, on behalf of the Owner, FST and Encounter Development LLC, for Site Plan Approval of Waffle House. The property is approximately 1.05 acres and is zoned B-2 – General Business District. Ms. Melton shared the zoning and aerial maps.

Staff recommends approval to the City Council of SR 25.01 with the following condition:

1. The City Horticulturist shall assess the transplanted live oak by the entrance on Bushel Drive at final inspection. If the tree is determined to not be in good health/condition, then the Applicant shall replace said tree with a healthy version the same size and species.

Erik Cortinas made a motion to recommend approval of SR 25.01 to City Council with staff recommendations.

Kevin Boone seconded the motion and the motion carried unanimously with the following vote:

AYE: Lee Turner; Kevin Boone; John Worsham; Rebecca Bryant; Hollie MacKellar; Paul Fontenot and Erik Cortinas

NAY: None.

B. SD 24.21 Public hearing to consider the request of the City of Fairhope's Planning and Zoning Department to accept Resolution 2025-01 for various proposed amendments to Article VI of the City of Fairhope's Subdivision Regulations.

Hunter Simmons, Planning and Zoning Director, presented the request of the City of Fairhope's Planning and Zoning Department to accept Resolution 2025-01 for various proposed amendments to Article VI of the City of Fairhope's Subdivision Regulations. Mr. Simmons shared that the only change being requested was the addition of "as amended" to Article VI, Section F.c. and Article VI, Section H.2 of the Subdivision Regulations.

Chairman Turner opened the public hearing at 5:10pm. Having no one present to speak, the public hearing was closed at 5:10.

Mr. Cortinas asked if future amendments would be returned to the Planning Commission. Mr. Simmons stated that in 2019, the Planning Commission agreed to allow specific amendments to be administratively approved.

Erik Cortinas made a motion to approve SD 24.21.

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

AYE: Lee Turner; Kevin Boone; John Worsham; Rebecca Bryant; Hollie MacKellar; Paul Fontenot and Erik Cortinas

NAY: None.

C. SD 25.03 Public hearing to accept Resolution 2025-02 for the proposed revisions to the City of Fairhope Water and Sewer Specifications.

Hunter Simmons, Planning and Zoning Director, presented Resolution 2025-02 for the proposed revisions to the City of Fairhope Water and Sewer Specifications. Mr. Simmons stated that this Resolution will amend Division I – Submittal Requirements and Division II – Design Criteria of the construction standards for the Water and Sewer Department which amends the first sentence of the General Information section.

The current sentence for Division I will be amended as follows: Applications for approval to construction wastewater facilities and/or water distribution facilities within the ~~City of Fairhope planning jurisdiction~~ City of Fairhope and the Fairhope Public Utilities service areas shall be completed and submitted by the applicant to the City of Fairhope Sewer Superintendent for approval. Approved applications will be required for Fairhope Planning Commission approval of facilities or developments

within the ~~Fairhope Planning Jurisdiction~~ City of Fairhope. Review and approval of this application is a pre-requisite to submission of a preliminary plat application to the City of Fairhope Planning Commission or the Baldwin County Planning Commission, as appropriate.

An additional section was added to the Division II – Design Criteria, which reads: Any upgrades to the existing water and/or sewer facilities necessary to provide adequate service to a development typically would be the responsibility of the developer. If the existing infrastructure, in the opinion of the city of Fairhope Water and Sewer Department, is not sufficient to supply the quantity of water and/or sewer facilities needed for the development, the developer may be required to participate in or to fully fund any necessary offsite infrastructure upgrades to obtain City of Fairhope service. Developer participation in infrastructure improvements or expansions may be detailed in the Development Agreement, when required.

Chairman Turner opened the public hearing at 5:15pm. Having no one present to speak, the public hearing was closed at 5:15.

John Worsham made a motion to approve SD 25.03.

Kevin Boone seconded the motion and the motion carried unanimously with the following vote:

AYE: Lee Turner; Kevin Boone; John Worsham; Rebecca Bryant; Hollie MacKellar; Paul Fontenot and Erik Cortinas

NAY: None.

Adjournment

John Worsham made a motion to adjourn.

AYE: Lee Turner; Kevin Boone; John Worsham; Rebecca Bryant; Hollie MacKellar; Paul Fontenot and Erik Cortinas

NAY: None.

Adjourned at 5:16pm.



Lee Turner, Chairman



Cindy Beaudreau, Secretary