

The Planning Commission met Monday, January 5, 2026, at 5:00 PM at the City Municipal Complex, 161 N. Section Street in the Council Chambers.

Present: Lee Turner; Rebecca Bryant; Jimmy Conyers; John Worsham; Harry Kohler; Hollie MacKellar; Paul Fontenot; Kim McCormick; Erik Cortinas; Hunter Simmons, Planning and Zoning Director; Mike Jeffries, Development Services Manager; Payton Rogers, Planning and Zoning Manager; Chris Williams, City Attorney and Cindy Beaudreau, Planning Clerk.

Absent: none

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

Consent Agenda

- Approval of the Minutes December 1, 2025

John Worsham made a motion to approve the minutes.

Kim McCormick seconded the motion and the motion carried unanimously with the following vote:

AYE: Lee Turner; Rebecca Bryant; Jimmy Conyers; John Worsham; Harry Kohler; Hollie MacKellar; Paul Fontenot; Kim McCormick; Erik Cortinas

Nay: None

Old Business

A. SR 25.09 Site Plan Approval of 7 Brew Fairhope – **Applicant requested to be moved to the March agenda.**

B. SR 25.08 Request of the Applicant, S.E. Civil, LLC, on behalf of the Owner, FST SILDI, LLC, for Site Plan Approval of Fairhope Boarding House. The property is approximately 0.20 acres and is zoned B-2 – General Business District. The property is located at 301 Fairhope Avenue. **PPIN #: 14359**

Mike Jeffries, Development Services Manager, presented the request of the Applicant, S.E. Civil, LLC, on behalf of the Owner, FST SILDI, LLC, for Site Plan Approval of Fairhope Boarding House. The property is approximately 0.20 acres and is zoned B-2 – General Business District. The property is located at 301 Fairhope Avenue. Mr. Jeffries shared the zoning map and aerial map.

Staff recommends approval of SR 25.08 to City Council with the following recommendations:

1. Approval of the associated Multiple Occupancy Project case SD 25.16.
2. Revision of the utility plans to reflect the minimum 78" x 75" transformer pad.
3. The Architect shall certify at the time of building permit that all mechanical equipment is at or below 40'.

John Worsham made a motion to recommend SR 25.08 to the City Council with staff recommendations.

Hollie Mackellar seconded the motion and the motion carried with the following vote:

AYE: Lee Turner; Jimmy Conyers; John Worsham; Harry Kohler; Hollie MacKellar; Paul Fontenot; Kim McCormick; Erik Cortinas

Nay: Rebecca Bryant

C. SD 25.16 Public hearing to consider the request of the Applicant, S.E. Civil, LLC, on behalf of the Owner, FST SILDI, LLC, for preliminary plat approval of Fairhope Boarding House, a 3-unit multiple occupancy project. The property is zoned B-2 – General Business District. The property is approximately 0.20 acres and is located at 301 Fairhope Avenue. **PPIN #: 14359**

Mike Jeffries, Development Services Manager, presented the request of the Applicant, S.E. Civil, LLC, on behalf of the Owner, FST SILDI, LLC, for preliminary plat approval of Fairhope Boarding House, a 3-unit multiple occupancy project. The property is zoned B-2 – General Business District. The property is approximately 0.20 acres and is located at 301 Fairhope Avenue. Mr. Jeffries shared the zoning map and aerial map.

Staff recommends approval of SD 25.16 with the following recommendations:

1. Approval of the associated Site Plan case SR 25.08 by the Fairhope City Council.
2. Revision of utility plans to reflect the minimum 78" x 75" transformer pad.
3. The Architect shall certify at the time of building permit that all mechanical equipment is at or below 40'.

Ryan Baker, Walcott Adams Verneuille, thanked staff for their good recommendations and will ensure that all are met.

Jimmy Conyers asked about the percentages for the roof top terrace. Mr. Baker explained that 66% would be used for the restaurant and event uses.

Hollie MacKellar is concerned about the temporary use versus permanent use. Mr. Baker reiterated that the space would only be used on a temporary basis.

Rebecca Bryant asked who enforces the accessory use. Mr. Baker explained that the accessory use would be used by boarding house residents along with being an accessory use for events. Ms. Bryant stated that she is struggling with allowing 300 people on the roof top terrace.

Chris Williams stated that the city has an enforcement arm which looks at violations of the Zoning Ordinance every day throughout the city. If the full-time manager moved out of the boarding house and the city inspected and confirmed that, the city could take the position that the boarding house has to be shut down until a full-time manager is back in because that is what the Zoning Ordinance requires. Mr. Williams continued that in terms of the accessory use, there is not a level of people or number set forth in the accessory use, and stated the accessory provision in the Zoning Ordinance very clearly does say that it does not create levels of noise, odors, vibration and lighting, or degrees of traffic congestion, dust or pollutants, in a greater amount than is customarily created by principle use. If they have an event

there, every once in a while and maybe there are some complaints, maybe that's a gray area, but if you are talking about an event up there every week that is regularly causing noise, pollution, traffic congestion, and problems that the city is regularly having a problem with, then it is within the city's enforcement ability to step in and potentially take action if it becomes a recurring problem.

Erik Cortinas stated that the developer addressed his issues at the last meeting.

Erik Cortinas made a motion to approve SD 25.16 with staff recommendations.

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

AYE: Lee Turner; Jimmy Conyers; John Worsham; Harry Kohler; Hollie MacKellar; Paul Fontenot; Kim McCormick; Erik Cortinas
Nay: Rebecca Bryant

New Business

D. SD 25.18 Public hearing to consider the request of the Applicant, S.E. Civil, LLC, on behalf of the owners, FST Washington Square Condominium Development, Inc., for final plat approval of Washington Square, an 8-unit Multiple Occupancy Project. The property is zoned R-5 – High Density Dwelling Residential District. The property is approximately 1.74 acres and is located on the west side of Bishop Rd. just north of Morphy Ave. **PPIN #: 108443**

Hunter Simmons, Planning and Zoning Director, presented the request of the Applicant, S.E. Civil, LLC, on behalf of the owners, FST Washington Square Condominium Development, Inc., for final plat approval of Washington Square, an 8-unit Multiple Occupancy Project. The property is zoned R-5 – High Density Dwelling Residential District. The property is approximately 1.74 acres and is located on the west side of Bishop Rd. just north of Morphy Ave. Mr. Simmons shared the zoning map and aerial map.

Staff recommends approval of SD 25.18 with the following conditions:

1. Recording of the final Operations & Maintenance Plan in Baldwin County Probate Court.

Chairman Turner opened the public hearing at 5:30pm. Having no one present to speak, the public hearing was closed at 5:30pm.

John Worsham made a motion to approve SD 25.18 staff recommendations.

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

AYE: Lee Turner; Rebecca Bryant; Jimmy Conyers; John Worsham; Harry Kohler; Hollie MacKellar; Paul Fontenot; Kim McCormick; Erik Cortinas
Nay: None

E. SD 26.01 Public hearing to consider the request of the Applicant, S.E. Civil, LLC, on behalf of the Owner, FST Benessere Partners LP and Benessere Partners II LP and Lomas Partners LLC, for preliminary plat approval of Eastern Shore Village Center MOP, a 15-unit multiple occupancy project. The property is zoned B-2 – General Business District. The property is approximately 7.28 acres and is located on the southeast corner of Greeno Road and Fairhope Avenue. **PPIN #: 397862**

Mike Jeffries, Development Services Manager, presented the request of the Applicant, S.E. Civil, LLC, on behalf of the Owner, FST Benessere Partners LP and Benessere Partners II LP and Lomas Partners LLC, for preliminary plat approval of Eastern Shore Village Center MOP, a 15-unit multiple occupancy project. The property is zoned B-2 – General Business District. The property is approximately 7.28 acres and is located on the southeast corner of Greeno Road and Fairhope Avenue. Mr. Jeffries shared the zoning map and aerial map.

Staff recommends approval of the following waiver requests:

1. Stormwater Requirements of Article V, Section F, the drainage plan as required by Article IV, Section C(1)(h).
2. Greenspace Requirements of Article V, Section C.

Staff recommends approval of SD 26.01 with the following recommendations:

1. Approval of the aforementioned waiver requests by the Planning Commission.
2. The tenant spaces shall conform to the requirements for building square footage and seating requirements as shown in the revised parking study.
3. Recording in Baldwin County Probate Court the revised Shared Parking Agreement, if approved by Fairhope City Council.

Chairman Turner opened the public hearing at 5:37pm. Having no one present to speak, the public hearing was closed at 5:37pm.

Paul Fontenot stated that although the site development was put in before the Tree and Landscape Ordinance, he would like the site to be brought into compliance. Mr. Simmons replied that the building sits within 20' of the ROW and the only way to accomplish that would be to tear the building down. The Tree Ordinance and Parking Ordinance are not able to be met due to the amount of real estate on site.

Rebecca Bryant asked if the parking lot is consistently full. Mr. Simmons that that this project is using a shared parking agreement. Ms. Bryant stated that she would like to add more tree wells.

Discussion continued about the Tree and Landscape Ordinance and Parking Agreement and the possibility of utilities being in the ROW.

Chris Williams, City Attorney, reminded the Planning Commission that only the City Council can change the Parking Agreement.

Paul Fontenot made a motion to approve SD 26.01 with staff recommendations, with one additional recommendation:

4. Ask the horticulturist to explore opportunities to bring site more into compliance with the Tree and Landscape Ordinance.

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

AYE: Lee Turner; Rebecca Bryant; Jimmy Conyers; John Worsham; Harry Kohler; Hollie MacKellar;
Paul Fontenot; Kim McCormick; Erik Cortinas

Nay: None

Adjournment

John Worsham made a motion to adjourn.

AYE: Lee Turner; Rebecca Bryant; Jimmy Conyers; John Worsham; Harry Kohler; Hollie MacKellar;
Paul Fontenot; Kim McCormick; Erik Cortinas

Nay: None

Adjourned at 5:58pm.



Lee Turner, Chairman



Cindy Beaudreau, Secretary