

Fairhope Planning Commission Minutes

April 6, 2026 – 5:00 PM

ADMINISTRATIVE

The Planning Commission met Monday, April 6, 2026, at 5:00 PM at the City Municipal Complex, 161 N. Section Street in the Council Chambers.

Present:

X	Lee Turner, Chairman	X	Paul Fontenot
X	Rebecca Bryant, Vice Chairman	X	Kim McCormick
X	Janine Saykes, Secretary	X	John Worsham
X	Harry Kohler		Erik Cortinas
	Hollie MacKellar	X	Jimmy Conyers (CC)
(CC) City Council Representative			

Staff: Hunter Simmons, Planning and Zoning Director; Mike Jeffries, Development Services Manager; Payton Rogers, Planning and Zoning Manager; Michelle Melton-Null, City Planner; Chris Williams, City Attorney; and Janine Saykes, Planning Clerk.

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

Chairman Turner stated the Appointment of Planning Commission Secretary will be moved to New Business, and current item A, ZC 26.01, regarding Building Height, will move to the end of the agenda.

Hunter Simmons, Planning and Zoning Director, gave an update regarding an ongoing issue with Fraudulent/Suspicious Emails targeting Planning Commission cases.

CONSENT AGENDA

- Approval of the Minutes – March 2, 2026
- UR 26.01 Request of C-Spire for an 11.52.11 Utility Review and approval of the proposed installation of 4,767 ± LF of fiber cable at 401 Oak Avenue.
- UR 26.02 Request of C-Spire for an 11.52.11 Utility Review and approval of the proposed installation of 10,863± LF of fiber cable at 167 Ertle Street.
- UR 26.03 03 Request of C-Spire for an 11.52.11 Utility Review and approval of the proposed installation of 27,968± LF of fiber cable at 818 Fairhope Avenue.
- UR 26.04 Request of C-Spire for an 11.52.11 Utility Review and approval of the proposed installation of 11,686± LF of fiber cable at 19362 County Road 13.

Mike Jeffries, Development Services Manager, presented the requests on behalf of the Applicant. Mr. Jeffries shared the aerial maps for all four locations.

Staff recommends approval of all Utility Reviews with the following conditions:

1. A pre-construction meeting shall be held with the City prior to issuance of any permits;
2. 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 technician for inclusion in GIS utility maps;
3. Provide a Traffic Control Plan to ROW Inspector prior to commencement of any work; and
4. Applicant shall contact Alabama One Call to locate all existing utilities (1000ft max per day).

Jimmy Conyers made a motion to approve the consent agenda including the minutes.

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

AYE: Lee Turner; Rebecca Bryant; Jimmy Conyers; Harry Kohler; Paul Fontenot, John Worsham, and Kim McCormick

NAY: None

ABSTAIN: None

OLD BUSINESS

None

NEW BUSINESS

- A. SD 26.07** Public hearing to consider the request of the Applicant, Geographic Consulting LLC, on behalf of the Owner, Ross Wilson, for Preliminary and Final Plat approval of 150 N Section, a 3-unit Multiple Occupancy Project on property zoned B-2, General Business District. The property is located at 150 North Section Street and is 0.18± acres. **PPIN #: 15235**

Mike Jeffries, Development Service Manager, presented the request on behalf of the Applicant. Mr. Jeffries shared the zoning and aerial maps as well as the proposed Unit Layout.

Staff recommends approval of SD 26.07 150 N Section for Preliminary and Final Plat.

There were no questions for Staff.

Chairman Turner asked if the Applicant would like to speak. The Applicant had nothing to add.

Chairman Turner opened the public hearing at 5:10pm. The public hearing was closed at 5:10pm.

John Worsham made a motion to approve 26.07 150 N. Section for Preliminary and Final Plat.

Jimmy Conyers seconded the motion and the motion carried unanimously with the following vote:

AYE: Lee Turner; Rebecca Bryant; Harry Kohler; Paul Fontenot, John Worsham, Kim McCormick, and Jimmy Conyers

NAY: None

ABSTAIN: None

- B. SD 26.09** Public hearing to consider the request of the Applicant, SE Civil, LLC, on behalf of the Owner, FST RW, LLC, for Preliminary and Final Plat approval of Vatan Mixed Use Development, a 9-unit Multiple Occupancy Project on property zoned B-2, General Business District. The property is located at 301 Magnolia Avenue and is 0.5± acres. **PPIN #: 15164**

Michelle Melton-Null, City Planner, presented the request on behalf of the Applicant. Ms. Melton-Null shared the zoning and aerial maps as well as the proposed Final Plat.

Chris Williams, City Attorney, excused himself from the case.

Staff recommends approval of SD 26.09 Vatan Mixed Use Development MOP for Preliminary and Final Plat with the following conditions:

1. Due to the circumstances of required sidewalks, the City's desire to protect Heritage Trees, and requirements of the City's Zoning Ordinance, the Site Plan shall be reviewed by the City Council as the final authority to determine a solution for any sidewalks that may conflict with Heritage Trees. Final approval of this MOP is contingent on the approval of a revised Site Plan that shall be approved by the City Council;
2. Developer shall coordinate the installation of sidewalks, if any, and any horizontal construction within the ROW, with the Public Works Department to minimize disturbance to the existing trees in the ROWs; and
3. Revision of Phasing Plan and Narrative that prioritizes installation of the landscaped amenity area.

Chairman Turner asked if there were any questions for Staff. No questions were asked.

Dave Lavery, Engineer of Record for SE Civil, LLC, was available for questions.

Rebecca Bryant asked about the stairway landing that is close to the heritage trees, and what is the solution if there is no sidewalk. Are they required for an egress? Mr. Lavery stated that he doesn't think the landings are needed because they aren't a requirement. Owner, David Ryan, FST RW LLC, responded that landings are needed because they are in front of residents' doors. The stairs can be curved and relocated so the landing won't impact the trees. Ms. Bryant stated that she would like the same sensitivity applied to the landing area for the tree protection. Hunter Simmons, Planning and Zoning Director, also stated that the one landing goes into the city right of way which could be a liability.

Mr. Lavery asked Staff for condition #1 to be modified. He doesn't want to keep going back and forth from City Council to the Planning Commission over the sidewalk. Chairman Turner stated the City Attorney is not present and the Planning Commission does not have the right to wave sidewalks, only City Council has that authority. There was more discussion regarding the sidewalks and the members will address it in the motion.

Chairman Turner opened the public hearing at 5:28pm. The public hearing was closed at 5:28pm.

Ms. Bryant asked who could work with the developer on the landings. Mr. Simmons said the Planning Department, Building Department, and Public Works during the permitting process. Mr. Simmons said if the sidewalks are removed, we might have to tweak the Hold Harmless agreement for liability. Ms. Bryant asked if the stairs and landings would be part of the design process. Mr. Simmons said yes, and before it's designed, they will need to know where the tree roots are.

Mr. Ryan said the stairs will be designed with their tree expert, Gary Ickes, on site, to determine where the roots are to protect them. Larry Smith SE Civil, LLC, said his concern is if City Council denied the sidewalk waiver they would have to come back. They are trying to change condition #1 so they don't have to come back. The Planning Committee members continued discussing the sidewalk issue extensively.

Ms. Bryant made a motion to approve 26.09 Vatan Mixed Use Development MOP for Preliminary and Final Plat with staff recommendations and subject to City Council not requiring sidewalks.

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

AYE: Lee Turner; Rebecca Bryant; Harry Kohler; Paul Fontenot, John Worsham, Kim McCormick, and Jimmy Conyers

NAY: None

ABSTAIN: None

- C. SD 26.10** Public hearing to consider the request of the Applicant, SE Civil, LLC, on behalf of the Owner, Millrose Properties Alabama LLC, for Final Plat approval of Greenfields, an 81-lot Major Subdivision on property zoned R-2, Medium Density Single-Family Residential District. The property is located on the east side of County Road 13, north of County Road 32 and is 39.9± acres. **PPIN #: 55265, 41079**

Michelle Melton-Null, City Planner, presented the request on behalf of the Applicant. Ms. Melton-Null shared the zoning and aerial maps as well as the proposed Final Plat.

Staff recommends approval of SD 26.10 Greenfields Subdivision Final Plat with the following conditions:

1. Completion of all follow-up activities and punch list items detailed within the Staff Report; and
2. Include in the O&M Plan the wetlands, wetland buffers, and mulch trail and recording of the O&M Plan with Baldwin County Probate.

Chairman Turner asked if there were any questions for Staff. No questions asked.

Larry Smith, Engineer of Record for SE Civil, LLC, was available for questions. He stated that they are working on the punch list items.

Rebecca Bryant asked about the mulch trail and how long the adhesive would last. Paul Fontenot stated it will not last longer than a year. Mike Jeffries stated the mulch path will eventually be bordered by sod. Mr. Smith said this will be included in the O & M plan.

Chairman Turner opened the public hearing at 5:56pm. The public hearing was closed at 5:56pm.

John Worsham made a motion to approve SD 26.10 Greenfields for Final Plat with Staff Recommendations.

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

AYE: Lee Turner; Rebecca Bryant; Harry Kohler; Paul Fontenot, John Worsham, Kim McCormick, and Jimmy Conyers

NAY: None

ABSTAIN: None

- D. SD 26.11** Public hearing to consider the request of the Applicant, Arthur Johnson, on behalf of the Owner, Bonnie Baker, for Preliminary Plat approval of Stonevale, a 16-lot Major Subdivision on property zoned R-1, Low Density Single-Family Residential District. The property is located on the west side of Highway 181, south of Windmill Road and is 9.83± acres. **PPIN #: 15456**

Mike Jeffries, Development Service Manager, presented the request on behalf of the Applicant. Mr. Jeffries shared the zoning and aerial maps as well as the proposed Plat.

Staff recommends approval of SD 26.11 Stonevale Preliminary Plat with the following conditions:

1. Revision of the plat GENERAL NOTE 4 to reflect a 15' side and rear drainage and utility easement;
2. Revision of the plat GENERAL NOTE 6 The FFE needs to be shown for each lot;
3. Replace the Planning Director signature block with the Planning Commission Signature block; and
4. Reflect 16 lots on the plat. Currently shows 17.

Chairman Turner asked if there were any questions for Staff. Kim McCormick asked if the stubbed street is where the cul-de-sac is now? Mr. Jeffries said yes, the cul-de-sac will be the future through street.

Chairman Turner opened the public hearing at 6:02pm. The public hearing was closed at 6:02pm.

John Worsham made a motion to approve SD 26.11 Stonevale for Preliminary Plat with Staff Recommendations.

Jimmy Conyers seconded the motion and the motion carried unanimously with the following vote:

AYE: Lee Turner; Rebecca Bryant; Harry Kohler; Paul Fontenot, John Worsham, Kim McCormick, and Jimmy Conyers

NAY: None

ABSTAIN: None

- E. Resolution 2026-02** Public hearing to consider the request of the City of Fairhope's Planning and Zoning Department to accept Resolution 2026-02 adopting the temporary suspension of consideration of certain residential multiple occupancy project and subdivision applications under the City of Fairhope Subdivision Regulations as set forth in Ordinance 1859.

Hunter Simmons, Planning and Zoning Director, said this has been before the Committee twice before. The City Council passed the suspension of certain applications and the Planning Commission has adopted a related Resolution in support. The City Council extended the suspension to 120 days while they work on the amendments.

Chairman Turner asked if there were any questions. No questions asked.

John Worsham made a motion to approve Resolution 2026-02.

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

AYE: Lee Turner; Rebecca Bryant; Harry Kohler; Paul Fontenot, John Worsham, Kim McCormick, and Jimmy Conyers

NAY: None

ABSTAIN: None

- F. Appointment of Planning Commission Secretary**

John Worsham nominated Janine Saykes for Planning Commission Secretary.

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

AYE: Lee Turner; Rebecca Bryant; Harry Kohler; Paul Fontenot, John Worsham, Kim McCormick, and Jimmy Conyers

NAY: None

ABSTAIN: None

- G. ZC 26.01** Discussion regarding proposed amendments to the City of Fairhope Zoning Ordinance concerning building height. The City of Fairhope Planning and Zoning Department advises that this item be considered for discussion only and recommends the Planning Commission continue discussion of the proposed amendment for further study.

Hunter Simmons, Planning and Zoning Director, stated that up for discussion is the building height amendment and other amendments that might relate to or be affected by a building height amendment. Mr. Simmons also said that City Council has called a special meeting on April 20, 2026, at 5:00pm to discuss additional Zoning amendments.

Mr. Simmons shared a presentation showing multiple definitions of the building height from 1998 to 2017. Mr. Simmons discussed the existing Zoning Ordinance requirements as well as various alternative methods for regulating building height and how to define where to measure from. Additionally, Mr. Simmons discussed a potential steep slope ordinance.

Staff recommend ZC 26.01 be tabled for further discussion.

Chairman Turner opened the public hearing at 6:23pm.

Larry Smith, SE Civil LLC, stated on a large project like an MOP, you might need 20 feet of fill dirt and if we limit measurements to the natural grade where the building sits, it might reduce the height to 10 feet from the front, depending on how much fill you have. Mr. Smith stated the CBD is very different from the rest of the development in the city. I hope you consider that this is not limited to downtown lots.

Mac Walcott, Fairhope resident, stated the appearance of houses that slope away from the street, could be an aesthetic issue. He also said the city created a framework to build a pleasing downtown. Mr. Walcott said it sounds like the Commission's stance on the character of downtown design standards over the last thirty years is not acceptable and the Planning Commission is going to fix it. Mr. Walcott stated it is contrary to how we got here. Chairman Turner did not agree, that is not what they are saying. Mr. Turner stated they made a mistake seven years ago with the height standards. What residents are concerned with downtown are the rooftop terraces and the flat roofs making downtown lose its eclectic feel. Rebecca Bryant stated that it's not accurate to say there are set design standards and that they are dictating architectural style. Ms. Bryant said they are urging the eclectic design.

Mr. Turner reminded everyone that we are here today to discuss building heights.

Lucinda and Lewis Chappelle, 210 Gayfer Court: Mr. Chappelle said their property is depicted in one of the slides. Their property is on a steep slope and the back ends in the Big Mouth Gully. The Chappelle's are building an addition on to their home. Mr. Chappelle stated the height calculation used today will only give them a twenty-foot house. The surveyor, architect, designer, and contractor

did not realize the impact of the Big Mouth Gully and they can't continue with the construction. They have applied for a Variance through the Board of Adjustments.

Ryan Baker 460 Dogwood: Mr. Baker stated Spanish Fort, Baldwin County, and Daphne all have similar building height definitions that measure on the slope roof structures to the mean, and all starting off at the average or proposed grade. It is a helpful start. Figuring out the average grade of a lot is very difficult and understanding where we're going to measure to is needed. Mr. Baker stated the CBD only has 200 properties and the city has approximately 12,000 properties, which are two separate issues. We need to solve the bigger problem.

Mac Walcott also stated the differences with all the different slopes and where you measure to determine what it looks like from the street. Mr. Simmons stated the definition will dictate the solutions. Mr. Walcott would like to manage what we see from the street. There was more discussion regarding measuring to the mean.

Chairman Turner closed the public hearing at 6:54pm.

John Worsham made a motion to table ZC 26.01 Building Height for further discussion.

Jimmy Conyers seconded the motion and the motion carried unanimously with the following vote:

AYE: Lee Turner; Rebecca Bryant; Harry Kohler; Paul Fontenot, John Worsham, Kim McCormick, and Jimmy Conyers
NAY: None
ABSTAIN: None

ADJOURNMENT

John Worsham made a motion to adjourn.

The motion carried unanimously with the following vote:

AYE: Lee Turner; Rebecca Bryant; Harry Kohler; Paul Fontenot, John Worsham, Kim McCormick, and Jimmy Conyers
NAY: None
ABSTAIN: None

Adjourned at 6:55pm.



Lee Turner, Chairman



Janine Saykes, Secretary