

Fairhope Planning Commission Minutes

July 6, 2026 – 5:00 PM

ADMINISTRATIVE

The Planning Commission met Monday, July 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
	Rebecca Bryant, Vice Chairman	X	Kim McCormick
X	Janine Saykes, Secretary	X	John Worsham
X	Harry Kohler	X	Erik Cortinas
X	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; Chris Williams, City Attorney; and Janine Saykes, Planning Clerk.

Chairman Lee Turner called the meeting to order at 4:58pm.

CONSENT AGENDA

- Approval of the Minutes – June 1, 2026

Attorney Chris Williams stated there was a correction needed for SD 26.08. The motion to table for up to six (6) months was with the Applicants consent.

John Worsham made a motion to approve the minutes with the correction.

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

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

NAY: None

ABSTAIN: None

OLD BUSINESS

- A. UR 26.06** Correction of previous Recommendation to City Council for Verizon Wireless for the installation of a new small cell tower in downtown Fairhope. Located within the right-of-way near 450 Fairhope Avenue.

Mike Jeffries, Development Services Manager, stated the Planning Commission's June recommendation to City Council for Approval is not required for a small cell tower colocation and asked for the recommendation to be removed.

Erik Cortinas made a motion to remove the recommendation for City Council Approval for UR 26.06 and keep the Staff recommendations set forth in June.

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

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

NAY: None

ABSTAIN: None

- B. UR 26.10** Correction of previous Recommendation to City Council for Verizon Wireless for the installation of a new small cell tower in downtown Fairhope. Located within the right-of-way near 108 North Section Street.

Mike Jeffries, Development Services Manager, stated that the Planning Commission's June recommendation to City Council for Approval is not required for a small cell tower colocation and asked for the recommendation to be removed.

Erik Cortinas made a motion to remove the recommendation for City Council Approval for UR 26.10 and keep the Staff recommendations set forth in June.

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

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

NAY: None

ABSTAIN: None

- C. UR 26.05** Request of Verizon Wireless for the installation of a new small cell tower in downtown Fairhope. Located within the right-of-way near 5 North Church Street.

Mike Jeffries, Development Services Manager, presented the request on behalf of the Applicant. Mr. Jeffries stated the Applicant asked to table UR 26.05 until the September Planning Commission meeting for further study.

Hollie MacKellar made a motion to table UR 26.05 until the September Planning Commission meeting, per the Applicant's request.

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

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

NAY: None

ABSTAIN: None

- D. UR 26.07** Request of Verizon Wireless for the installation of a new small cell tower in downtown Fairhope. Located within the right-of-way near 100 North Bancroft Street.

Mike Jeffries, Development Services Manager, presented the request on behalf of the Applicant. Mr. Jeffries stated the Applicant asked to table UR 26.07 until the September Planning Commission meeting for further study.

Jimmy Conyers made a motion to table UR 26.07 until the September Planning Commission meeting, per the Applicant's request.

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

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

NAY: None

ABSTAIN: None

- E. UR 26.08** Request of Verizon Wireless for the installation of a new small cell tower in downtown Fairhope. Located within the right-of-way near 319 Magnolia Avenue.

Mike Jeffries, Development Services Manager, presented the request on behalf of the Applicant. Mr. Jeffries stated the Applicant asked to table UR 26.08 until the September Planning Commission meeting for further study.

Erik Cortinas made a motion to table UR 26.08 until the September Planning Commission meeting, per the Applicant's request.

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

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

NAY: None

ABSTAIN: None

NEW BUSINESS

- F. UR 26.13** Request of AT & T for the installation of a new small cell tower in Fairhope. Located within the right-of-way near 18800 South Greeno Road.

Mike Jeffries, Development Services Manager, presented the request on behalf of the Applicant. Mr. Jeffries shared a locator map and the proposed pole. Mr. Jeffries stated this location is inside the ALDOT right-of-way and our small cell ordinance is not applicable. ALDOT has approved this permit.

Staff recommends Approval of UR 26.13 Utility Review with the following conditions:

1. The Applicant shall coordinate with Fairhope Utilities to avoid conflicts with existing City infrastructure.

Chairman Turner asked the Applicant if she would like to speak. Michelle Fogle, representative for AT & T was available for questions.

Chairman Turner asked what the purpose of this tower is. Ms. Fogle stated the Radio Frequency Engineers determined they needed some capacity and/or coverage so they proposed a small cell tower. Ms. Fogle stated it will be primarily focused on the school and surrounding area.

John Worsham made a motion to approve UR 26.13 Utility Review with Staff recommendations.

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

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

NAY: None

ABSTAIN: None

- G. SR 26.04** Request of the Applicant, Murphy Oil USA, INC., on behalf of the Owner, Corte Cave/Mitchell 1, LLC for Site Plan Review Approval of Murphy Oil Automobile Service Station. The property is located at the northwest corner of State Highway 181 and State Highway 104 and is 1.18± acres. **PPIN#: 623309**

Payton Rogers, Planning and Zoning Manager, presented the request on behalf of the Applicant. Mr. Rogers shared the zoning and aerial maps. Mr. Rogers stated in November 2020, Planter's Pointe was approved for a Preliminary MOP, followed by Preliminary Plat approval for a 9-lot subdivision in November 2021. Conditional annexation into city limits took effect in December 2021, followed by a 12-month extension to the 9-unit MOP which was granted in October 2023. Final Plat was granted in December 2023 and on April 21, 2026, the Board of Adjustments approved a Special Exception request to allow an Automobile Service Station on the site.

Staff recommends Approval of SR 26.04 – Murphy Oil USA Site Plan with the following conditions:

1. Revision of the Tree and Landscape Plan to illustrate one of the following solutions to address the understory tree within State Highway 181 ROW:
 - a. Move the existing crape myrtle onto the subject site to be located on the other side of the two neighboring trees; or
 - b. Remove the existing tree and plant a new crape myrtle of the same size and species as the one removed on the subject site to be located on the other side of the two neighboring trees.

Chairman Turner asked if the Applicant would like to speak. Wesley Miller, representative for RAM Engineering, was available for questions.

Chairman Turner had many concerns about the crape myrtle trees and would like something with a larger canopy. There was a thorough discussion among the Commissioners, Staff and Applicant regarding the Tree and Landscape Plan. The Landscape Architect with Espalier, Joe Comer also came up to speak and weighed in on the discussion. Mr. Comer added that the crape myrtles on site are existing trees. Mr. Comer stated they are happy to change the plan as needed and work toward a solution.

Chairman Turner opened the public hearing at 5:33pm. Mike Jeffries stated that this is not a public hearing and the public hearing was closed at 5:33pm.

Jimmy Conyers made a motion to approve SR 26.04 to the City Council with Staff recommendations and;

1. Review of revised Tree and Landscape Plan with Commissioner Paul Fontenot and Staff prior to going before City Council.

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

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

NAY: None

ABSTAIN: None

- H. ZC 26.06** Public hearing to consider the request of the Applicant, S.E. Civil, LLC, on behalf of the Owner, Krhut Enterprises LLC, for Conditional Annexation to R-1, Low Density Single-Family District for Tower Homes. The property is located at the southeast corner of County Road 13 and Mosley Road and is 43.6± acres. **PPIN#: 24484, 109974, 113514, 234578**

Payton Rogers, Planning and Zoning Manager, presented the request on behalf of the Applicant. Mr. Rogers shared the city and county zoning maps. Mr. Rogers stated the site is currently zoned RSF-1, Residential Single-Family District and RA, Rural Agricultural District in Baldwin County. Mr. Rogers stated the Applicant has submitted voluntary conditions and restrictions of a maximum density of 1.4 units per acre if approved for annexation.

Staff received two (2) citizen comments which included concerns regarding stormwater/drainage, traffic, and questions about a trust between the subject site and the Fly Creek Watershed. Legal representation for the Applicant confirmed that there are no watershed protections or trust restrictions associated with this property. The other concerns are premature at this stage and would be addressed in a potential future Subdivision application.

Staff recommends approval of Conditional Annexation to R-1, Low Density Single-Family Residential District for ZC 26.06 – Krhut Enterprises, LLC with the following condition:

1. The subject site shall be restricted to a maximum density of 1.4 units per acre.

Chairman Turner asked if the Applicant would like to speak. David Diehl, representative for S.E. Civil, was available for questions. No questions asked. Will Hightower, representative of Tower Homes discussed their company and its vision for Fairhope in detail. Mr. Hightower stated they are planning to preserve approximately one-third of the site. Some of that includes wetlands, green space, and preserving many beautiful trees. Mr. Hightower stated they are planning to have approximately fifty (50) lots and they would like to build homes in the mid-range market. Mr. Hightower stated that there seems to be a gap between two (2) million-dollar custom homes and the inexpensive high-density homes being built by national builders. Mr. Hightower stated that they would like to fill that gap.

Chairman Turner opened the public hearing at 5:44pm.

Sissy Hawkins – 11567 Branchwood Dr. Fairhope – Ms. Hawkins asked why they are seeking annexation into the city, instead of staying in the county.

Dan Lumkin – 9215 Mosley Rd. Fairhope – Mr. Lumkin is concerned about traffic and storm drainage. He stated he is also concerned about his property value.

Charles Everette – 309 Pecan Ridge Blvd. Fairhope - Mr. Everette is concerned about the traffic blind spots. Drainage is also a major issue in this area. He would like to have complete transparency with the developer once the subdivision is started and have an opportunity to review plans.

Amy Martin - 317 Pecan Ridge Blvd. Fairhope – Ms. Martin stated that the school is already full and the school buses have a safety issue on Mosley Rd. There is also excessive runoff that flows through her property. Ms. Martin is also concerned about the wildlife on the property.

Chairman Turner asked the Applicant if he would like to answer the question brought up earlier about why they want to be in the city. David Diehl, S.E. Civil, stated they would like the development in the city for obvious reasons.

The public hearing was closed at 5:54pm.

John Worsham made a motion to recommend approval to City Council for Conditional Annexation for ZC 26.06 - Tower Homes with Staff recommendations.

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

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

NAY: None

ABSTAIN: None

ADJOURNMENT

John Worsham made a motion to adjourn.

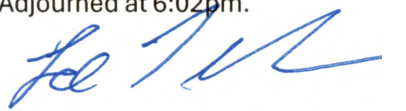
The motion carried unanimously with the following vote:

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

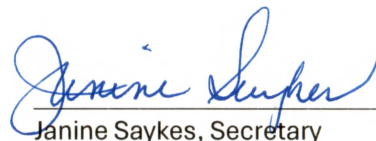
NAY: None

ABSTAIN: None

Adjourned at 6:02pm.



Lee Turner, Chairman


Janine Saykes, Secretary