

The Planning Commission met Monday, June 3, 2024, at 5:00 PM at the City Municipal Complex, 161 N. Section Street in the Council Chambers.

Present: Lee Turner; Rebecca Bryant; Jay Robinson; Harry Kohler; John Worsham; 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: Hollie MacKellar and Clarice Hall-Black

Chairman Turner called the meeting to order at 5:04 PM.

Approval of the Minutes May 6, 2024:

John Worsham made a motion to approve the minutes from the May 6, 2024.

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

AYE: Lee Turner; Rebecca Bryant; Jay Robinson; Harry Kohler; John Worsham; Paul Fontenot; Erik Cortinas

NAY: None.

Old/New Business

- Greenfields Subdivision - Request of the Applicant, SE Civil, for an extension of 1-year for Preliminary Plat.

Staff referenced a letter provided by the applicant, saying the reason for the delay is due to Baldwin County wanting the developer to wait until the roundabout at CR 13 and CR 32 was completed and a new traffic study completed. Staff brought up concerns about the utilities being reviewed over two years ago. Staff recommended a 90-day extension to allow the applicant time to meet with Fairhope Utilities to determine if any major changes were evident that would require a complete new preliminary plat review.

John Worsham made a motion to approve a 90-day extension for SD 22.18 Preliminary Plat with staff recommendations.

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

AYE: Lee Turner; Rebecca Bryant; Jay Robinson; Harry Kohler; John Worsham; Paul Fontenot; Erik Cortinas

NAY: None.

Consideration of Agenda Items:

A. UR 24.06 Request of AT&T for an 11.52.11 Utility Review and approval of the proposed installation of approximately 14,263 LF of buried fiber cable and 2,031 LF of innerduct in the City ROW at 1090 Fairhope Avenue.

Summary: Hunter Simmons, Planning and Zoning Director, presented the request of the Applicant, AT&T for an 11.52.11 Utility Review and approval of the proposed installation of approximately 14,263 LF of buried fiber cable and 2,031 LF of innerduct in the City ROW at 1090 Fairhope Avenue. Mr. Simmons shared the zoning map and aerial. Mr. Simmons re-emphasized the requirement of the door hangers so the residents know that this work is being performed.

Staff recommends conditional approval of UR 24.06 subject to 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. For permitting purposes, applicants shall provide subsurface utility engineering quality-level C, unless otherwise required by the Fairhope Building Department.

Erik Cortinas made a motion to approve UR 24.06 with staff recommendations.

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

AYE: Lee Turner; Rebecca Bryant; Jay Robinson; Harry Kohler; John Worsham; Paul Fontenot; Erik Cortinas

NAY: None.

B. SR 24.02 Request of the Owner, Gulf Health Hospitals, Inc., for Site Plan Approval of Thomas Hospital N.W. Addition. The property is approximately 0.70 acres and is zoned B-2 – General Business District. The property is located at 750 Morphy Avenue. **PPIN #: 1682**

Michelle Melton, City Planner, presented the request of the Owner, Gulf Health Hospitals, Inc., for Site Plan Approval of Thomas Hospital N.W. Addition. The property is approximately 0.70 acres and is zoned B-2 – General Business District. The property is located at 750 Morphy Avenue. Ms. Melton shared the plat and site data.

Staff recommends approval of SR 24.02 subject to the following conditions:

1. Revised landscape plans are to be approved by the City's Horticulture Department.
2. Plans for relocating utilities and stormwater facilities.
3. Address the heliport option as requested on May 9, 2024.
4. Required parking, compliant with Table 4-3 of the zoning ordinance, shall be provided prior to build-out of the proposed tower.
5. Update Site Data Table.
6. Approval by City Council of the proposed amendments in Case: ZC 24.03 – Medical Overlay District.

Mr. Simmons stated that he received an e-mail with concern about the amount of parking at the hospital. Mr. Simmons stated that staff will review the parking spaces to ensure it follows the ordinance. He continued that a goal of the hospital is to add more spaces.

Rebecca Bryant asked for clarification on parking. Mr. Simmons stated that the parking for the whole complex will conform to the parking ordinance prior to the build-out. Lee Turner added that the hospital will need to go through several layers of approval for this project.

Chairman Turner disclosed that he has met with the Mayor and hospital staff representatives several times to discuss this project.

Norman Thompson, President of Thomas Hospital, agreed with staff report.

Ms. Bryant asked about the landscape trees as a buffer and whether it was enough. Chairman Turner asked about whether the power lines would be overhead or underground. Mr. Simmons replied that the high voltage lines will allow for redundancy and will need to be placed underground. Those lines will also be closer to the pavement and out of the landscape areas. Mr. Simmons continued that the verticality of the plant material is important, a sidewalk was added which cuts out some landscape area. Paul Fontenot stated that he will meet with the City Horticulturist to discuss landscaping. Mr. Fontenot is concerned with the four bald cypress that are to be removed. Mr. Simmons replied that Mr. Fontenot's concerns will be addressed by the hospital's landscape architect who needs to include the dbh of the trees along with the height on landscape plan.

Ms. Bryant asked for clarification on the parking prior to build-out of the proposed tower. Mr. Simmons stated that the parking will be in compliance prior to the build out of the last two floors.

Rebecca Bryant made a motion to recommend SR 24.02 to City Council with staff recommendations and the following changes to conditions 1 and 4:

1. Revised landscape plans are *to be* approved by the City's Horticulture Department and *Tree Committee Chair*.
4. Required parking, compliant with Table 4-3 of the zoning ordinance, shall be provided prior to build-out of *last two floors*.

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

AYE: Lee Turner; Rebecca Bryant; Jay Robinson; Harry Kohler; John Worsham; Paul Fontenot; Erik Cortinas
NAY: None.

C. SD 24.14 Public hearing to consider the request of Owner, Highlands at Fairhope Village, LLC, for Preliminary Plat approval of Highlands at Fairhope Village Subdivision Phase 2, an 85-lot Multiple Occupancy Project. The property is approximately 11.76 acres and is located on Southeast corner of State Highway 98 and Parker Road. **PPINS #: 369505, 386029, 386030, 369509, 369508**

Hunter Simmons, Planning and Zoning Director, presented the request of the Owner, Highlands at Fairhope Village, LLC, for Preliminary Plat approval of Highlands at Fairhope Village Subdivision Phase 2, an 85-lot Multiple Occupancy Project. The property is approximately 11.76 acres and is located on Southeast corner of State Highway 98 and Parker Road. Mr. Simmons shared the zoning map and aerial. Mr. Simmons reminded the Planning Commission that this is the Fly Creek PUD which has already been approved and amended at least twice. Mr. Simmons and Erik Cortinas shared the requirement that may be added for sprinklers for the buildings.

Harry Kohler asked if this built out the PUD or will there be further development. Mr. Simmons replied that staff does not have the full plan and stated that there is a single-family component to this PUD, not completely built out and shared the Master Plan Areas of Improvements slide showing an area to the east that could be further developed.

Staff recommends approval of SD 24.14 with staff recommendations.

1. Pedestrian Circulation Plan shall be amended to reflect Staff recommendations. Developer will work with Staff to ensure public pedestrian connectivity is achieved, crosswalks are installed per City regulations, and each townhome has pedestrian access to the public paths/sidewalk.
2. Additional plantings shall be required within the 10' buffer where the townhomes (residential) lot abuts the fire department (incompatible uses) to ensure there is a visual screen.
3. Revised landscape plans shall be submitted for staff review prior to application of a building permit.
4. Landscaping Plans shall reflect the height of the plants and trees required at time of planting.
5. A 15' buffer shall be required along the north property line and maintained by the common ownership of the townhomes. The buffer shall remain undisturbed, although additional plantings shall be added to provide an opaque screen.
6. Construction methods and UL Listings shall be reviewed for fire protection purposes prior to submittal of any building permits.
7. Engineer shall confirm installation of the grass swale required as part of SD 17.24.

Chairman Turner opened the public hearing at 6:13pm.

Gary Gover, 300 Lincoln Street, is concerned with the pedestrian and bicycling provisions and the pedestrian circulation plan does not have enough detail. Mr. Gover shared examples from the Subdivision Regulations where those examples are missing in the pedestrian circulation plan submitted. Mr. Gover also suggested that more emphasis be placed on the plantings.

Cindy Powell, 7843 Parker Road, requested yield signs and speed bumps due to the high and curvy road coming from the apartments.

Trevor Stubbs, 7935 Parker Road, appreciates the buffers, but area #2 is too dense, does not meet Table #3-2 and that the greenspace is primarily unusable. Dr. Stubbs discussed the retaining walls and the steep slope. This project pushes the boundaries. The design is not for the betterment of the City.

The public hearing was closed at 6:18pm.

Stuart Speed addressed the pedestrian flow questions, greenspace and retaining walls. On the north side of Corte Ridge topography believes there is good break up in the roof lines to allow for a nice presentation coming down the hill. There is a 15' undisturbed buffer, fencing and landscape. Mr. Speed stated that they will work with City staff on the pedestrian circulation plan. Mr. Simmons added that the draft Comp Plan acknowledges that pedestrian circulation is important to the City and staff is working with new projects to ensure better pedestrian access around those projects. This current project is a prior approved PUD and staff is working to make the final connection along Corte Ridge Road. From the apartments to the pool are stairs and a gravel area. Mr. Simmons agrees that the public sidewalk should be concrete. The connectivity along Corte Ridge Road is concrete. There is a plan for connectivity along Parker Road. Connectivity is a high priority for the City. The landscape plantings in a PUD do not have the same requirements, it is site plan driven.

Chairman Turner asked about the greenspace usability along the incline. Mr. Simmons replied that it is not a flat play area but without that area it did meet the greenspace requirements. Ms. Bryant asked about existing trees along the northeast part. Mr. Simmons stated shared the areas where the trees would be preserved. Ms. Bryant asked what type of retaining walls were being built. Mr. Speed stated that they would be keystone walls.

Chairman Turner disclosed that he met with Stuart Speed prior to this meeting.

John Worsham made a motion to approve SD 24.14 with staff recommendations.

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

AYE: Lee Turner; Rebecca Bryant; Jay Robinson; Harry Kohler; John Worsham; Paul Fontenot; Erik Cortinas

NAY: None.

D. ZC 24.03 Public hearing to consider the request from the City of Fairhope Planning and Zoning Department, for various proposed amendments to the City of Fairhope's Zoning Ordinance.

Hunter Simmons, Planning and Zoning Director, presented the request from the City of Fairhope Planning and Zoning Department, for various proposed amendments to the City of Fairhope's Zoning Ordinance. This text amendment relates to the Medical Overlay District and adds #4 which states:

The existing medical center (Thomas Hospital) contains buildings that may not conform to the area and dimensional requirements of B-4 (Business and Professional District). New Buildings or expansions of existing buildings providing 24 hour medical, psychiatric, obstetrical, or surgical care shall be allowed

to align with the height and building lines of existing buildings provided that all other local, county, and stated requirements are met. This exemption does not apply to ancillary buildings that may include, but not limited to, administrative offices, physician offices, outpatient services, and maintenance facilities.

Staff recommends approval of ZC 24.03 to the City Council.

Jay Robinson stated that this amendment helps accommodate issues that may arise in the future regarding Thomas Hospital.

Ms. Bryant asked if this should state being adjacent. Mr. Worsham asked if connected would be better. Mr. Simmons stated that with the addition of Thomas Hospital in parentheses makes it specific. Mr. Cortinas states that listing that it is 24 hours would be specific to Thomas Hospital.

Chris Williams stated he is not comfortable with the word connected. Mr. Williams continued that adding Thomas Hospital in parentheses following “existing buildings” in the abundance of caution would make it clear.

Chairman Turner opened the public hearing at 6:39pm. Having no one present to speak the public hearing was closed at 6:39pm.

Rebecca Bryant made a motion to recommend ZC 24.03 to the City Council for approval with the addition of “(Thomas Hospital)” in second sentence following “existing buildings”.

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

AYE: Lee Turner; Rebecca Bryant; Jay Robinson; Harry Kohler; John Worsham; Paul Fontenot; Erik Cortinas

NAY: None.

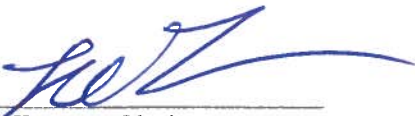
Adjournment

John Worsham made a motion to adjourn.

AYE: Lee Turner; Rebecca Bryant; Jay Robinson; Harry Kohler; John Worsham; Paul Fontenot; Erik Cortinas

NAY: None.

Adjourned at 6:42pm.



Lee Turner, Chairman



Cindy Beaudreau, Secretary