



**City of Fairhope
Planning Commission Agenda
5:00 PM
Council Chambers
August 5, 2024**

Sherry Sullivan
Mayor

Council Members

Kevin G. Boone

Jack Burrell, ACO

Jimmy Conyers

Corey Martin

Jay Robinson

Lisa A. Hanks, MMC
City Clerk

Kimberly Creech
City Treasurer

1. Call to Order

2. Approval of Minutes

- July 1, 2024

3. Old/New Business

- **SD 24.06** Waiver request for the Preliminary Plat approval for Montrose Preserve PUD from the standards of Article VI, Section M (Underground Utilities).

4. Consideration of Agenda Items

A. SD 24.12 Public hearing to consider the request of the Applicant, Jade Consulting, LLC, acting on behalf of the Owner, Two Hands Design & Development LLC, for Final Plat Approval of Hill Top – Lot 29. The property is approximately 1.131 acres and is zoned a PUD – Planned Unit Development. The property is located at 18655 Section Street. **PPIN #: 389630**

B. SD 24.15 Public hearing to consider the request of the Applicant, Dewberry, acting on behalf of the Owner, Tommy Thomasson et al, for Final Plat approval for Montrose Preserve PUD, Ph. 1, a 3-lot major subdivision. The property is approximately 8.94 acres and is zoned as a PUD – Planned Unit Development. The property is located on the west side of Greeno Road and south of Sibley Street. **PPIN #: 75979**

C. SD 24.18 Public hearing to consider the request of the Applicant, S.E. Civil, acting on behalf of the Owner, 68V Overland 2021, LLC for Final plat approval of Overland Subdivision, Phase 2, a 29-lot subdivision. The property is approximately 12.48 acres and is located at the southeast corner of the intersection of County Road 48 and River Mill Drive. **PPIN #: 618027**

161 North Section Street

P.O. Drawer 429

Fairhope, Alabama 36533

251-928-2136

251-928-6776 Fax

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D. ZC 24.07 Public hearing to consider the request of the Applicant Christopher Lieb, acting on behalf of the Owner, Gerald W. Haring, to rezone property from R-1, Low Density Single-Family Residential District, to B-4, Business and Professional District. The property is approximately 0.69 acres and is located at 7671 Parker Road.
PPINS #: 98380, 7684

E. ZC 24.08 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.

5. Adjourn

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The Planning Commission met Monday, July 1, 2024, at 5:00 PM at the City Municipal Complex, 161 N. Section Street in the Council Chambers.

Present: Lee Turner; Rebecca Bryant; Harry Kohler; John Worsham; Paul Fontenot; Clarice Hall-Black; Hunter Simmons, Planning and Zoning Director; Michelle Melton, Planner; Chris Williams, City Attorney; and Cindy Beaudreau, Planning Clerk.

Absent: Hollie MacKellar, Jay Robinson, and Erik Cortinas

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

Approval of the Minutes June 3, 2024:

John Worsham made a motion to approve the minutes from the June 3, 2024.

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

AYE: Lee Turner; Rebecca Bryant; Harry Kohler; John Worsham; Paul Fontenot; Clarice Hall-Black
NAY: None.

Old/New Business

None

Consideration of Agenda Items:

A. UR 24.07 Request of AT&T for an 11.52.11 Utility Review and approval of the proposed installation of approximately 27,090 LF of buried fiber cable and 4,180 LF of innerduct in the City ROW at 500 Nichols 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 27,090 LF of buried fiber cable and 4,180 LF of innerduct in the City ROW at 500 Nichols Avenue. Mr. Simmons shared the zoning map and aerial.

Staff recommends conditional approval of UR 24.07 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.

John Worsham made a motion to approve UR 24.07 with staff recommendations.

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

AYE: Lee Turner; Rebecca Bryant; Harry Kohler; John Worsham; Paul Fontenot; Clarice Hall-Black
NAY: None.

B. UR 24.08 Request of AT&T for an 11.52.11 Utility Review and approval of the proposed installation of approximately 5,489 LF of buried fiber cable and 1,523 LF of innerduct in the City ROW at 713 S Mobile Street.

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 5,489 LF of buried fiber cable and 1,523 LF of innerduct in the City ROW at 713 S Mobile Street. Mr. Simmons shared the zoning map and aerial.

Staff recommends conditional approval of UR 24.08 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.

John Worsham made a motion to approve UR 24.08 with staff recommendations.

Clarice Hall-Black seconded the motion and the motion carried unanimously with the following vote:

AYE: Lee Turner; Rebecca Bryant; Harry Kohler; John Worsham; Paul Fontenot; Clarice Hall-Black
NAY: None.

C. SD 24.05 Public hearing to consider the request of the Applicant, Goodwyn Mills Cawood, acting on behalf of the Owner, Starlight Development, LLC, for Preliminary Plat approval for The Proper, a 10-unit multiple occupancy project. The property is approximately 1.68 acres and is zoned B-1 – Local Shopping District. The property is located at the southwest corner of Nichols Avenue and Young Street. **PPINS #: 9585, 9601, 121255, 9602, 361754**

Michelle Melton, City Planner, presented the request of the Applicant, Goodwyn Mills Cawood, acting on behalf of the Owner, Starlight Development, LLC, for Preliminary Plat approval for The Proper, a 10-unit multiple occupancy project. The property is approximately 1.68 acres and is zoned B-1 – Local Shopping District. Ms. Melton shared the zoning map and aerial. Applicant is requesting a waiver regarding Anderson Avenue, aka Anderson Street from Article V(E) – Lot Access, section of the Subdivision Regulations.

Chairman Turner asked if the power lines would be underground. Mr. Simmons replied that the power on Young Street will not be underground and that the trees on that side will be more columnar and will not interfere with the lines.

Staff does not support the waiver.

Mr. Simmons explained that it is only a 20' ROW with the additional 5' that the Applicant is providing. Street standards are typically 20' wide, although the Subdivision Regulations do allow for a lane, and staff believes a lane could be placed there without harming the trees by paving the existing asphalt. Staff would support that but does not support the waiver to not pave anything.

John Worsham asked if the applicant paved the area, would they meet the regulations. Mr. Simmons stated that if they paved that lane, the subdivision regulations give some language about reduced width so instead of 20', it allows a lane, approximately 12'-16' of pavement, which could be appropriate here due to a ROW that was platted in 1946. Discussion continued about access to the lots.

Chairman Turner asked if the area had been surveyed. Mr. Simmons replied that staff received a survey which showed the ROW of 15' along with an independent title search.

Staff recommends approval of SD 24.05 with staff recommendations.

1. Installation of a minimum of 12' wide (1 yield flow) paved lane in Anderson Ave./St. pursuant to the Street Classification, Design, and Function (Table 5.3) in Appendix A. Applicant will work with Staff to mitigate tree root damage during construction of required lane.
2. Re-plat
3. Maintenance Bond and Maintenance and Guarantee Agreement shall be submitted with Final Plat for any infrastructure that is intended to be accepted by the City.

Melissa Hadley, GMC, explained that they did perform a survey and the road to the tip of the detention pond had been paved before. Ms. Hadley stated that the applicant is amenable to adding asphalt but does not want to rip up the existing trees that are there. They agree to do the 12' pavement to meet the lane regulations in addition to the 5' of ROW. Ms. Hadley stated that the development has three roads now. Mr. Worsham asked if she rotated the three lots facing Anderson would they fit. Ms. Hadley stated no, they would still need to come out on Anderson which would then need to be a vehicular access. The way she designed it, Anderson does not need to be used for vehicular access. Ms. Bryant brought up traffic impact vs. aesthetic impact and shared her concerns of no one facing Young Street. Ms. Bryant asked about the garages. Ms. Hadley stated that the corner units are fully facing on those roads. Ms. Bryant asked if Ms. Hadley had considered designing everything to face Young Street with access off Nichols. Ms. Hadley replied that she had to consider the vehicular movement throughout the site and trying to keep as many of the trees as possible and most of them are in the southwest corner. Ms. Hadley shared the renderings of the buildings and Ms. Bryant asked if the buildings would actually look like that. Mr. Hadley replied yes, for the most part.

Mr. Turner asked what Anderson Avenue will be used for. Ms. Hadley replied that it will not be used for anything. Discussion continued on access around the site. Mr. Turner shared his concern of B-1 zoning and this site does not have any on street parking or overflow parking. Ms. Hadley stated that there are guest parking areas in the median area of Legacy Loop and each home has a two-car garage and two additional spaces in each driveway. Mr. Turner asked how many public parking spaces are provided. Ms. Hadley replied that there are three spaces plus one additional space on lot 10 and the area at the end of Legacy Loop could potentially be used. Mr. Turner asked about the square footage of the homes. Ms. Hadley replied they are approximately 1,800-2,000 square feet and will be three bedroom and two bath homes.

Ms. Hadley stated that if Anderson Avenue has new pavement, then it can be used for a walking path or driving up and down. Ms. Bryant asked if you would have to back out of Anderson. Ms. Hadley replied that you would have to back out or do a three-point turn. Mr. Turner reiterated his concern over parking and proposed a hammerhead area to turn around on Anderson. Ms. Hadley stated that they could add a hammerhead and a walking trail joining Legacy Loop in the southwest corner.

Chairman Turner opened the public hearing at 5:38pm. Having no one present to speak the public hearing was closed at 5:38pm.

Mr. Fontenot asked if there was a tree protection plan that showed the fencing. Mr. Simmons stated that there is a tree preservation plan and that would be looked at during final approval.

Ms. Hall-Black asked for confirmation that what the homes look like now will be what is built. Ms. Hadley stated that it will.

Mr. Simmons reminded the Commission that this is only a 20' ROW which will extend into the easement. Ms. Bryant disagrees with this.

Mr. Fontenot suggested tabling the project and coming back with a paving plan.

Chris Williams stated that the Planning Commission has to make a decision at this meeting, or the applicant could consent to table the item. To address the paving issue, one option would be to grant the

waiver subject to conditions. The conditions to granting the waiver is subject to whatever the Planning Commission sees fit. The conditions of granting the waiver could be conditioned upon the hammerhead or other access that the Planning Commission deems appropriate.

Rebecca Bryant made a motion to reject the waiver.

Paul Fonteno seconded the motion and the motion carried unanimously with the following vote:

AYE: Lee Turner; Rebecca Bryant, Harry Kohler; John Worsham; Paul Fontenot; Clarice Hall-Black
NAY: None

John Worsham made a motion to approve SD 24.05 with modified staff recommendations.

1. Waiver denied
2. Prior to pre-construction meeting, City staff need to see the plan and/or drawing for Anderson Avenue regarding paving (length/width/materials) and length/width/materials of the suggested hammerhead.
3. Tree root protection plan for improvements to Anderson Avenue including the hammerhead.
4. Add trail from Legacy Loop to the hammerhead on Anderson Avenue.
5. Installation of a minimum of 12' wide (1 yield flow) paved lane in Anderson Ave./St. pursuant to the Street Classification, Design, and Function (Table 5.3) in Appendix A. Applicant will work with Staff to mitigate tree root damage during construction of required lane.
6. Re-plat
7. Maintenance Bond and Maintenance and Guarantee Agreement shall be submitted with Final Plat for any infrastructure that is intended to be accepted by the City.
8. Anderson Avenue is paved to City standards and approved by Staff and Tree Committee.

Clarice Hall-Black seconded the motion and the motion carried with the following vote:

AYE: Lee Turner, Harry Kohler, John Worsham, Paul Fontenot, Clarice Hall-Black
NAY: Rebecca Bryant

D. SD 24.11 Public hearing to consider the request of the Applicant, SE Civil, LLC, on behalf of the Owners, FST and 68V Harvest Green East 2022, LLC, for Final Plat approval of Harvest Green East Phase 1, a 120-lot subdivision. The property is approximately 55.62 acres and is zoned PUD – Planned Unit Development. The property is located on the east side of State Highway 181 across from The Waters Subdivision. **PPINS #: 17735, 77776**

Hunter Simmons, Planning and Zoning Director, presented the request of the Applicant, SE Civil, LLC, on behalf of the Owners, FST and 68V Harvest Green East 2022, LLC, for Final Plat approval of Harvest Green East Phase 1, a 120-lot subdivision. The property is approximately 55.62 acres and is zoned PUD – Planned Unit Development. Mr. Simmons shared the zoning map and aerial.

Follow-Up Activities Required by Final Plat Process:

- Copy of the recorded plat (Final Plat must be recorded within 120 days of acceptance)
- Copy of the recorded O&M Agreement
- Maintenance and Guarantee Agreement executed by the subdivider – this document is not considered fully executed until the Mayor signs said agreement.

- o Remember to include the instrument # from the recorded plat
 - o Remember to include 30 days in paragraph 3
- Performance Bond submitted within 30 days of Final Plat approval

Staff recommends approval of SD 24.11 with staff recommendations:

1. Completion of Follow-Up Activities

Chairman Turner opened the public hearing at 5:52pm. Having no one present to speak the public hearing was closed at 5:52pm.

John Worsham made a motion to recommend SD 24.11 with staff recommendations.

Clarice Hall-Black seconded the motion and the motion carried unanimously with the following vote:

AYE: Lee Turner; Rebecca Bryant; Harry Kohler; John Worsham; Paul Fontenot; Clarice Hall-Black
NAY: None.

E. SD 24.13 Public hearing to consider the request of Applicant, Jade Consulting, on behalf of the owner, Encounter Development, LLC, for Final Plat approval of Encounter Commercial Retail Center, a 12-lot subdivision. The property is approximately 35.16 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.
PPIN #: 108453

Michelle Melton, City Planner, presented the request of Applicant, Jade Consulting, on behalf of the owner, Encounter Development, LLC, for Final Plat approval of Encounter Commercial Retail Center, a 12-lot subdivision. The property is approximately 35.16 acres and is zoned B-2 – General Business District. Ms. Melton shared the zoning map and aerial.

Follow-Up Activities Required by Final Plat Process:

- Copy of the recorded plat (Final Plat must be recorded within 120 days of acceptance)
- Copy of the recorded O&M Agreement
- Maintenance and Guarantee Agreement executed by the subdivider – this document is not considered fully executed until the Mayor signs said agreement.
 - o Remember to include the instrument # from the recorded plat
 - o Remember to include 30 days in paragraph 3

Staff recommends approval of SD 24.13 with staff recommendations.

1. Completion of Follow-Up Activities
2. Installation of the “Future Through Street Sign”
3. Replacement of speed limit signs to reflect 20 mph
4. Completion of north landscape buffer
5. Add a note on the plat restricting access from SR 104 and SR 181 and to limit number of road cuts allowed for development on internal roads

Chairman Turner opened the public hearing at 5:58pm. Having no one present to speak the public hearing was closed at 5:58pm.

Ms. Bryant asked for a summary of the resolved drainage issue. William Graham, Jade Consulting, explained that Rockwell Place's final building had a steep slope that did not tie into the Encounter berm. Jade staff met with Rockwell representatives and the slope was regraded to tie into the Encounter pond. This work should be complete within a week or two.

Mr. Graham requested that a note not be added on the final plat pertaining to the allowed number of entrances from the lots onto the internal roadways. Due to the sites going through site plan review, Jade is requesting to vet out those entrances at that time.

Chairman Turner asked if these would have to come back for site plan review. Mr. Simmons stated yes. Staff had asked Jade to look at shared access and they offered the solution on their application. The intent for the note on the plat was so that individuals buying the lot would know how to access their lot.

Mr. Simmons read the following ROW conditions into the record:

- Lot 1 – Maximum one turnout to Encounter Dr. and One turnout to Bushel Dr.
- Lot 2-6 – Maximum three turnout to Bushel Dr., in addition to Lot 2 having one turnout to Encounter Dr. and Lot 6 having one turnout to Rockwell Blvd
- Lot 7-10 - Maximum two turnout to Encounter, in addition to Lot 7 having one turnout to Bushel Dr. and Lot 10 having one turnout to Hidden Glen
- Lot 11 – Maximum one turnout to Encounter Dr.
- Lot 12 – Maximum two turnouts to Encounter and three turnouts to Bushel Dr.

John Worsham made a motion to recommend SD 24.13 with modified staff recommendations.

1. Completion of Follow-Up Activities
2. Installation of the "Future Through Street Sign"
3. Replacement of speed limit signs to reflect 20 mph
4. Completion of north landscape buffer
5. Add note to plat to reference SD 24.13 for road cuts

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

AYE: Lee Turner; Rebecca Bryant; Harry Kohler; John Worsham; Paul Fontenot; Clarice Hall-Black
NAY: None.

F. SD 24.16 Public hearing to consider the request of Applicant, Seth Moore, on behalf of the owner, James Scopolites, for Preliminary and Final Plat approval of Gayfer Place Phase Two, a 2-lot minor subdivision. The property is approximately 4.6 acres and is zoned R-1 – Low Density Single-Family. The property is located at 8611 Gayfer Avenue Extension. **PPIN #: 43888**

Michelle Melton, City Planner, presented the request of Applicant, Seth Moore, on behalf of the owner, James Scopolites, for Preliminary and Final Plat approval of Gayfer Place Phase Two, a 2-lot minor subdivision. The property is approximately 4.6 acres and is zoned R-1 – Low Density Single-Family. Ms. Melton shared the zoning map and aerial.

Staff recommends approval of SD 24.16 with staff recommendations.

1. Installation of sidewalk along Gayfer Avenue Extension the length of the property
2. Label new lot 2-B instead of Lot 3-B
3. Change subdivision name to “Gayfer Place II, A Subdivision of Lot 2 of Gayfer Place SD”

Chairman Turner opened the public hearing at 6:12pm. Having no one present to speak the public hearing was closed at 6:12pm.

Seth Moore stated that he was unaware of the sidewalks needing to be constructed. Mr. Moore stated that there are sidewalks on the south side of Gayfer Avenue running from Bishop to Meadowbrook Drive and there is a 10’ easement on Bishop. Mr. Simmons reminded the Planning Commission that the Subdivision Regulations were amended to require a sidewalk be installed at the time of the subdivision. Mr. Turner continued the conversation listing a variety of subdivisions where sidewalks were not required at the time of the subdivision and the problems with getting them installed if not done at time of subdivision.

John Worsham made a motion to recommend SD 24.16 with staff recommendations.

Paul Fontenot seconded the motion and the motion carried unanimously with the following vote:

AYE: Lee Turner; Rebecca Bryant; Harry Kohler; John Worsham; Paul Fontenot; Clarice Hall-Black
NAY: None.

G. SD 24.17 Public hearing to consider the request of the Applicant, Goodwyn Mills Cawood, LLC, acting on behalf of the Owner, Eastpark, LLC, for Preliminary and Final Plat approval for 211 South Section, A Condominium, a 3-lot minor subdivision. The property is approximately 0.40 acres and is zoned R-3TH – Townhouse Single Family. The property is located on the east side of Section Street and south of Oswalt Street. **PPIN #: 41038**

Hunter Simmons, Planning and Zoning Director, presented the request of the Applicant, Goodwyn Mills Cawood, LLC, acting on behalf of the Owner, Eastpark, LLC, for Preliminary and Final Plat approval for 211 South Section, A Condominium, a 3-lot minor subdivision. The property is approximately 0.40 acres and is zoned R-3TH – Townhouse Single Family. Mr. Simmons shared the zoning map and aerial.

Staff recommends approval of SD 24.17 with staff recommendations.

1. Provide a solution for fire protection as proposed by the consultant
2. Sidewalk and landscaping shall be installed before issuance of C/O

Mr. Simmons share the following three options to substitute for the first staff recommendation that the applicant shall choose from:

- Provide the required fire line as specified by the Fairhope Water Dept. to be designed by the developer’s EOR;
- Install NFPA 13D sprinkler systems in each residence; or
- Require 1 hr. fire barriers on the North wall of each building and remove any openings (door, windows, perforated soffits, etc.)

Paul Fontenot asked about the live oak in front that is protected and suggested that the sidewalk meander around the tree. Mr. Fontenot also noted that the proposed tree plan has a lot of live oaks which is a lot for that area and suggested that better vertical tree choices be made. Mr. Fontenot stated that he did not see a tree protection plan for the existing live oak. Based on the placement of the tree, Mr. Fontenot suggested that the tree be trimmed by an arborist, so it is properly pruned.

Chairman Turner opened the public hearing at 6:24pm.

Mike Reinhart, 251 S. Section, is concerned about protecting the trees against the power company trimming. Mr. Turner stated that this will continue until the power is underground. Mr. Reinhart was also concerned about lighting and water.

The public hearing was closed at 6:28pm.

Melissa Hadley, GMC, stated that all the items can be addressed. Ms. Bryant asked if there were conditions on the last approval. Mr. Simmons stated that is looked at during permitting.

Rebecca Bryant does not agree with option three of the solutions for fire protection.

Paul Fontenot made a motion to recommend SD 24.17 with modified staff recommendations.

1. Provide a solution for fire protection as proposed by the consultant from the following choices:
 - Provide the required fire line as specified by the Fairhope Water Dept. to be designed by the developer's EOR;
 - Install NFPA 13D sprinkler systems in each residence; or
 - Require 1 hr. fire barriers on the North wall of each building and remove any openings (door, windows, perforated soffits, etc.)
2. Sidewalk and landscaping shall be installed before issuance of C/O
3. Consult with City Horticulturist about different species of trees and spacing thereof for the landscaping
4. Tree protection plan for protected live oak during construction of structures and the meandering sidewalk

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

AYE: Lee Turner; Rebecca Bryant; Harry Kohler; John Worsham; Paul Fontenot; Clarice Hall-Black
NAY: None.

H. ZC 24.04 Public hearing to consider the request of the Applicant, David Martin, on behalf of the Owner, Kathryn Mull, to rezone property from R-2, Medium Density Single-Family Residential District to B-3b, Tourist Resort Commercial Service District. The property is approximately 0.42 acres and is located at 53 N. Church Street. **PPIN #: 15034**

Hunter Simmons, Planning and Zoning Director, presented the request of the Applicant, David Martin, on behalf of the Owner, Kathryn Mull, to rezone property from R-2, Medium Density Single-Family Residential District to B-3b, Tourist Resort Commercial Service District. Mr. Simmons shared the zoning map and aerial.

Staff recommends approval of ZC 24.04 with staff recommendations.

1. Regardless of the allowed uses in Table 3-1 of the Fairhope Zoning Ordinance, the following uses shall be prohibited on the subject property:
 - a. Multifamily/Apartment
 - b. General Office
 - c. Professional Office
 - d. Grocery
 - e. Convenience Store
 - f. General Merchandise
 - g. Outdoor Recreation Facility
 - h. Indoor Recreation
 - i. Personal Storage
 - j. Recreational Vehicle Park
 - k. Restaurant
 - l. Bar
 - m. Entertainment Venue
 - n. Marina
2. Current use is a single-family residential structure. Any change in use shall meet all applicable laws and regulations at the time of application.

John Worsham asked why B-3b and not B-4. Mr. Simmons replied that the short-term ordinance not only says where they can be, it also states where they cannot be. Short term rentals are not allowed in B-4.

Chairman Turner opened the public hearing at 6:41pm.

Tim McGuire, 103 N. Church, is concerned with the number of short-term rentals, the traffic flows and parking on the street. There are no “no parking” signs along Church Street.

Jean Wilson, 33507F U.S. Highway 31, Spanish Fort, and owns property at 104 N. Church Street. She stated that the evolution on Church Street has not been a blessing with all the properties being bought up for Airbnbs. Her property has two cottages with renters from three to six months. She is unhappy with people coming all hours of the day.

Mr. McGuire returned to state that he has no problems with short term rental people.

The public hearing was closed at 6:49pm.

Kathryn Mull, owner of the property, stated that there is a lot of parking at the house. She would be very particular about who would rent the property. This is her primary residence.

Harry Kohler asked for clarification about multifamily/apartment being prohibited. Mr. Simmons stated that apartments are defined as more than three units in one building.

Rebecca Bryant made a motion to recommend ZC 24.04 to City Council with modified staff recommendations.

1. Regardless of the allowed uses in Table 3-1 of the Fairhope Zoning Ordinance, the following uses shall be prohibited on the subject property:
 - a. Multifamily/Apartment
 - b. General Office
 - c. Professional Office
 - d. Grocery
 - e. Convenience Store
 - f. General Merchandise
 - g. Outdoor Recreation Facility
 - h. Indoor Recreation
 - i. Personal Storage
 - j. Recreational Vehicle Park
 - k. Restaurant
 - l. Bar
 - m. Entertainment Venue
 - n. Marina
2. Current use is a single-family residential structure. Any change in use shall meet all applicable laws and regulations at the time of application.
3. Ask City Council about “No Parking” signs added to both sides of Church Street.

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

AYE: Lee Turner; Rebecca Bryant; Harry Kohler; John Worsham; Paul Fontenot; Clarice Hall-Black
NAY: None.

I. ZC 24.05 Public hearing to consider the request of the Applicant, Sawgrass Consulting, on behalf of the Owner, Rockwell LLC, to rezone property from R-1, Low Density Single-Family Residential District to B-2, General Business District, to be known as Rockwell Place. The property is approximately 15 acres and is located east of Highway 181, 1/3 mile north of Intersection of Highway 104 and Highway 181. **PPINS #: 625447, 625448, 625449**

Hunter Simmons, Planning and Zoning Director, presented the request of the Applicant, Sawgrass Consulting, on behalf of the Owner, Rockwell LLC, to rezone property from R-1, Low Density Single-Family Residential District to B-2, General Business District, to be known as Rockwell Place. Mr. Simmon shared the zoning map and aerial.

Staff recommends approval of ZC 24.05 with staff recommendations.

1. Each site created in Lot 1 shall have a mandatory Site Plan Review
2. An update for ALDOT or completion thereof the Rockwell Blvd and Hwy 181 connection prior to further subdividing or applying for any permit. *2-3 weeks per June 12, 2024, correspondence from Applicant*
3. Provide a schedule for the completion of the apartments and portions of the roads that will be public as soon as possible and prior to applying for any permits. *Three (3) months per June 12, 2024, correspondence from Applicant*

Chairman Turner opened the public hearing at 7:01pm. Having no one present to speak the public hearing was closed at 7:01pm.

Tim Lawley, Sawgrass, stated that staff recommendation #2 is 90% complete and #3 paving will be complete in two weeks. This request will be followed up with a subdivision request for the September meeting.

John Worsham made a motion to recommend ZC 24.05 to City Council with staff recommendations.

Clarice Hall-Black seconded the motion and the motion carried unanimously with the following vote:

AYE: Lee Turner; Rebecca Bryant; Harry Kohler; John Worsham; Paul Fontenot; Clarice Hall-Black
NAY: None.

J. Executive Session – To discuss pending or potential litigation pursuant to Alabama Code Section 36-25A-7(a)(3)

Commissioners left the dais at 7:03pm and returned at 7:18pm.

Adjournment

John Worsham made a motion to adjourn.

AYE: Lee Turner; Rebecca Bryant; Harry Kohler; John Worsham; Paul Fontenot; Clarice Hall-Black
NAY: None.

Adjourned at 7:19pm.

Lee Turner, Chairman

Cindy Beaudreau, Secretary



This digital package has been condensed for size and some documents may not contain all the original pages. All submittals were reviewed in full by staff in preparation for the reports prepared for the Planning Commission.

City of Fairhope Planning Commission

August 5, 2024



SD 24.06 Waiver Request

Article VII of the Subdivision Regulations of the City of Fairhope provide for the following Standards and Procedures for any waiver request.

A. **WAIVER STANDARDS:**

Except where these Regulations elsewhere provide for a waiver as to a specific matter, waivers may be granted where the Planning Commission finds that the following conditions exist:

1. An extraordinary hardship may result from strict compliance with these Regulations due to unusual topographic or other physical conditions of the land or surrounding area not generally applicable to other land areas.
2. The condition is beyond the control of the Subdivider.
3. The requested waiver will not have the effect of nullifying the purpose and intent of the Regulations, the Zoning Ordinance, or the Comprehensive Plan.
4. The waiver is the minimum deviation from the required standard necessary to relieve the hardship;
5. The waiver shall not have an adverse effect on adjacent landowners, or future landowners, or the public;
6. The waiver is necessary so that substantial justice is done.

B. **PROCEDURE:**

1. Waivers must be requested in writing at the time of Preliminary Plat submission. This is required so staff can understand the implications of the waiver. The waiver request will be considered by the Planning Commission at the time the plat is considered.
2. Any waiver granted must be entered upon the minutes stating the grounds for the waiver.
3. Letters to adjacent property owners shall include a description of any waiver requested.

C. **CONDITIONS:**

In granting approval of a Subdivision with a waiver, the Planning Commission may in its judgment, require such conditions to secure the objectives and interests of the City and the purposes of these Regulations.

Commentary

1. An extraordinary hardship may result from strict compliance with these Regulations due to unusual topographic or other physical conditions of the land or surrounding area not generally applicable to other land areas.

The zoning ordinance (Montrose Preserve PUD) recognizes these are not typical rights-of-way. Smaller roads and tree preservation are key goals of the development.

2. The condition is beyond the control of the Subdivider.

There is unique evaluation criteria for underground utilities in the Subdivision Regulations referenced below that Staff believes addresses this criteria sufficiently.

3. The requested waiver will not have the effect of nullifying the purpose and intent of the Regulations, the Zoning Ordinance, or the Comprehensive Plan.

No Conflict. As stated, the PUD established unique goals for this project.

4. The waiver is the minimum deviation from the required standard necessary to relieve the hardship; Staff sees no conflict.

5. The waiver shall not have an adverse effect on adjacent landowners, or future landowners, or the public; Powerlines are currently overhead. No adjacent property owner has discussed an adverse effect this waiver, if granted, may impose. Staff currently foresees no adverse effects.

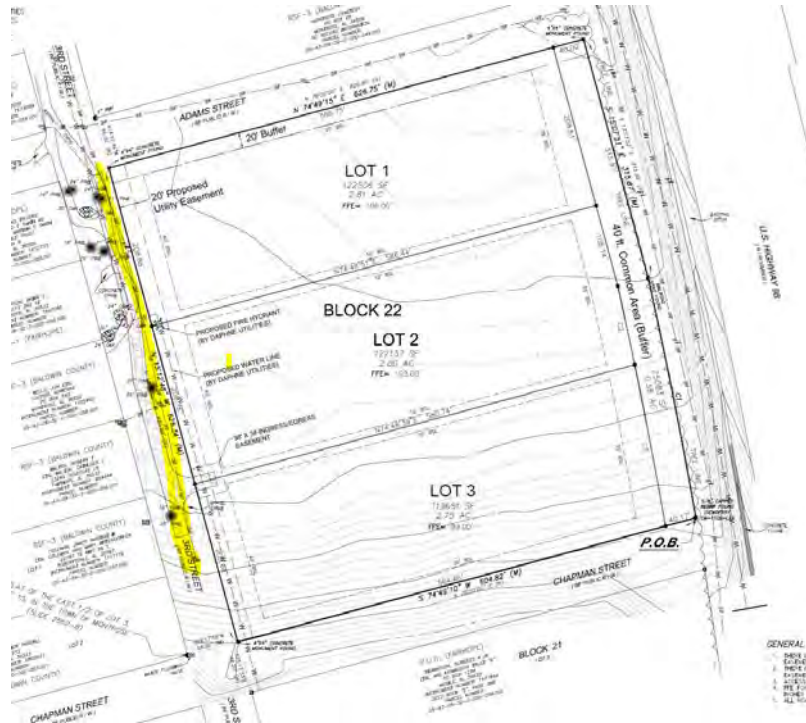
6. The waiver is necessary so that substantial justice is done.

Staff sees no conflict.

Article VI, Section M. also add the following evaluation criteria.

1. The Planning Commission may waive this section in all or part based on evidence that underground installation is not in the best interest of the environment or is financially not feasible.

The existing powerlines are shown highlighted on the plan below. See attached waiver request from Cathy Barnette with Dewberry Engineers. Staff does not oppose the waiver request because there are existing powerlines in place and installation of new underground lines for this phase will require additional land disturbance.



Recommendation:

Staff recommends **Approval** of the requested waiver with the following condition:

1. This waiver only applies to Lots 1-3 of the Montrose Village PUD.



Dewberry Engineers Inc. 25353 Friendship Road Daphne, AL 36526-6278	251.990.9950 251.990.9910 fax www.dewberry.com
---	--

July 8, 2024

Mr. Hunter Simmons, Planning Director
City of Fairhope
PO Drawer 429
Fairhope, AL 36533
VIA EMAIL

RE: Montrose Preserve PUD, Phase One

Dear Mr. Simmons,

Dewberry, as the authorized agent for the property owner, is requesting a waiver from Article VI, Section M of the Subdivisions Regulations which requires the underground utilities. All existing utilities are overhead power and it is neither environmentally or economically feasible to bury the utilities for this 3 lot subdivision.

The granting of the waiver from Article VI, Section M will not confer on the applicant or property owner any special privilege that is denied by the Ordinance to other lands, buildings, or structures in the same zoning district.

Dewberry and the property owner will understand all completion and as-builts of this road will need to be complete before signatures can be obtained on the plat.

Respectfully,

A handwritten signature in blue ink, reading "Cathy S. Barnette".

Cathy S. Barnette
Associate

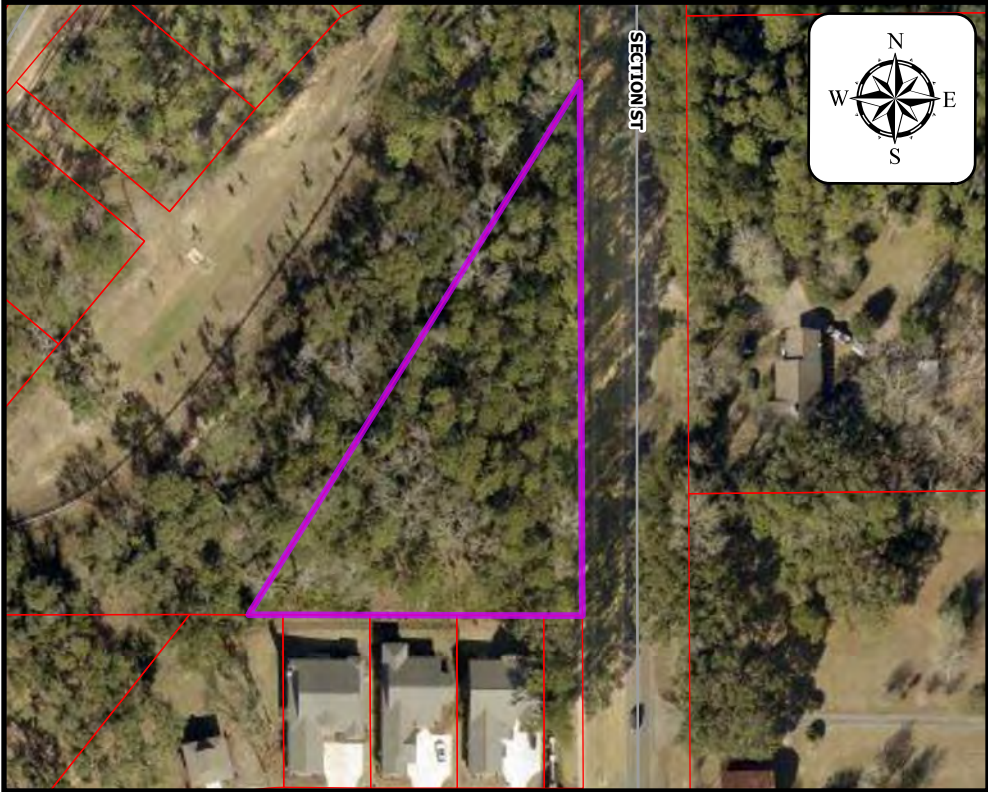
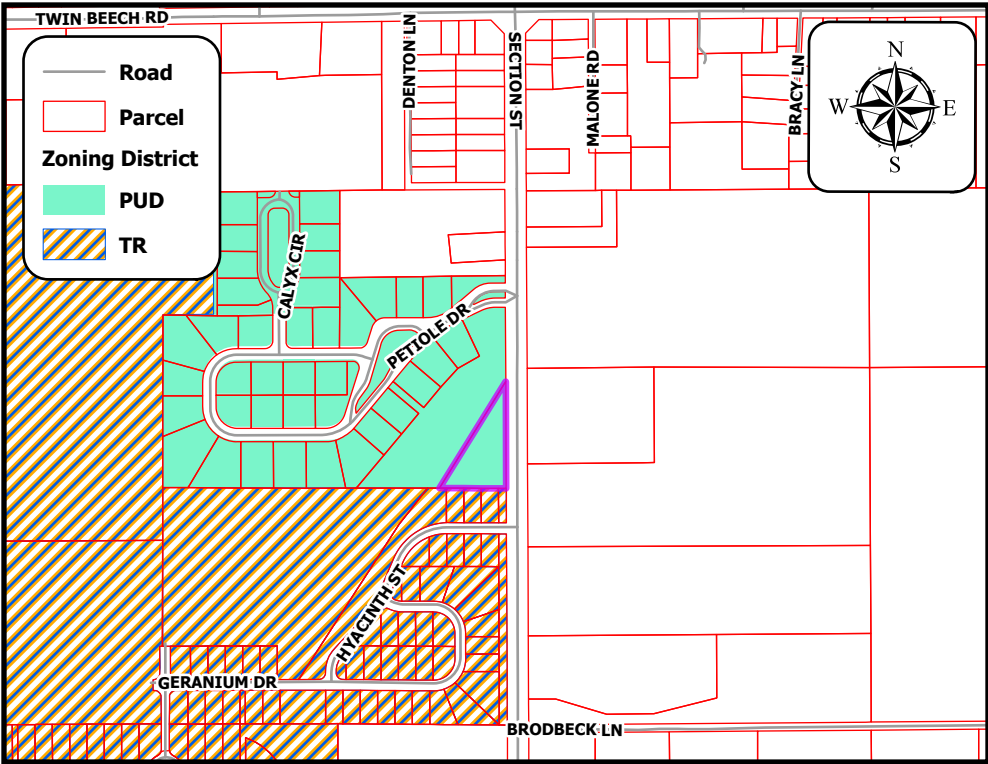
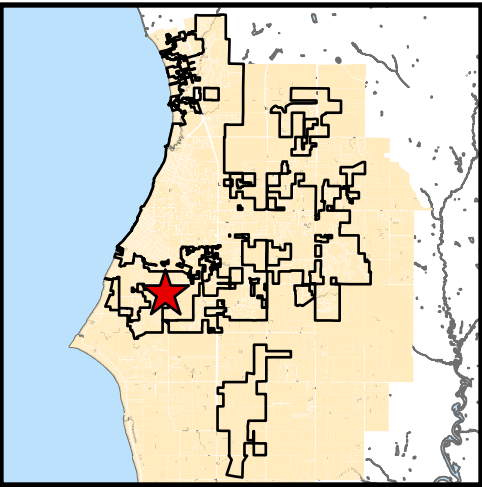
City of Fairhope

Planning Commission

August 5, 2024



SD 24.12 - Amend Hill Top Lot 29



Project Name:
Amend Hill Top Lot 29
Site Data:
1.13 acres
Project Type:
Final Plat Approval
Jurisdiction:
Fairhope Planning Jurisdiction
Zoning District:
PUD
PPIN Number:
389630
General Location:
West side of Section Street, South of Twin Beech Road
Surveyor of Record:
Jade Consulting LLC
Engineer of Record:
Jade Consulting LLC
Owner / Developer:
Two Hands Design & Development LLC
School District:
Fairhope Elementary School Fairhope Middle and High Schools
Recommendation:
Approved
Prepared by:
Hunter Simmons

Summary of Request:

Request of Applicant, JADE Consulting, LLC ("JADE"), on behalf of owner, Two Hands Design and Development, LLC, for Final Plat approval Lot 29 of the Hilltop PUD. At the time of the Planning Commission meeting in May the fire flow had not been approved. Since then, the fire flow test has been conducted and accepted. The fire flow test was the only outstanding item from the Preliminary Plat that was necessary for Final Plat approval.

There is no public infrastructure or other outstanding items required for this Plat.

Recommendation:

Staff recommends approval of case SD 24.12:

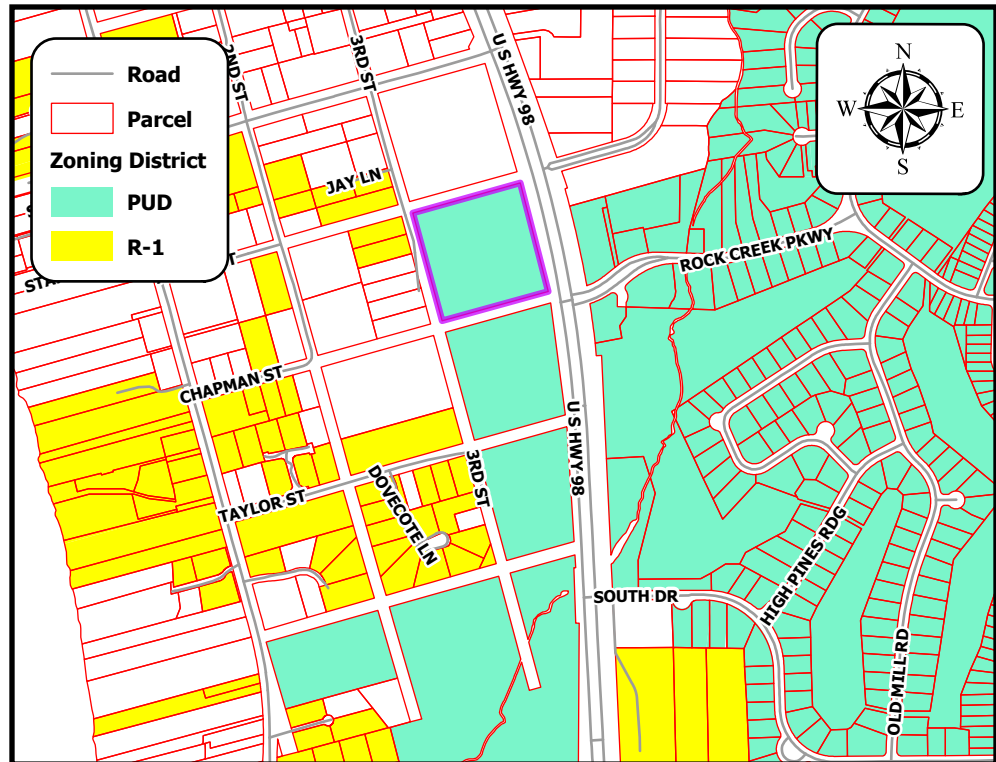
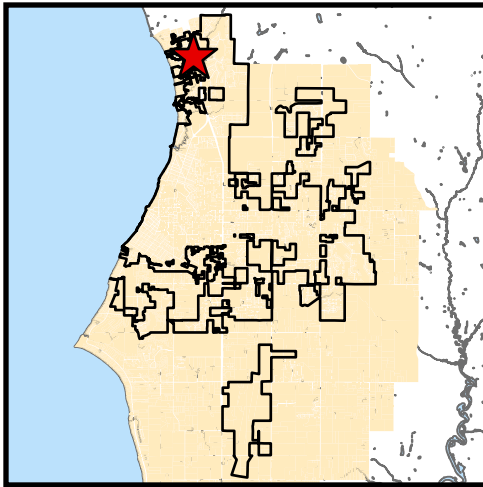
City of Fairhope

Planning Commission

August 5, 2024



SD 24.15 - Montrose Preserve PUD Phase One



Project Name:

Montrose Preserve PUD Phase One

Site Data:

8.94 acres

Project Type:

3-Lot Major Subdivision, Final Plat

Jurisdiction:

Fairhope Planning Jurisdiction

Zoning District:

PUD

PPIN Number:

75979

General Location:

West side of US Highway 98, South of Sibley Street

Surveyor of Record:

Dewberry

Engineer of Record:

Dewberry

Owner / Developer:

Tommy Thomasson et al

School District:

Fairhope Elementary School
Fairhope Middle and High Schools

Recommendation:

Approved w/ Conditions

Prepared by:

Hunter Simmons



Summary of Request:

Dewberry, acting on behalf of the owners, Burgess A. Thomasson, Jr., Leigh Thomasson Brown, and Albert Daniel Thomasson, requests Final Plat approval for Phase I of the Montrose Preserve PUD (“PUD”). Phase I consists of three (3) lots. The Engineer of Record for Phase I is Jason Estes. The Preliminary Plat was approved on March 4, 2024 (SD 24.06).

Site Data

SITE DATA

DEVELOPMENT SUMMARY

TOTAL ACREAGE: 8.94 ACRES

ZONING: PUD

TOTAL LOTS: 3

AVERAGE INDIVIDUAL LOT SIZE= 2.79 ACRES

ZONED: P.U.D. FAIRHOPE

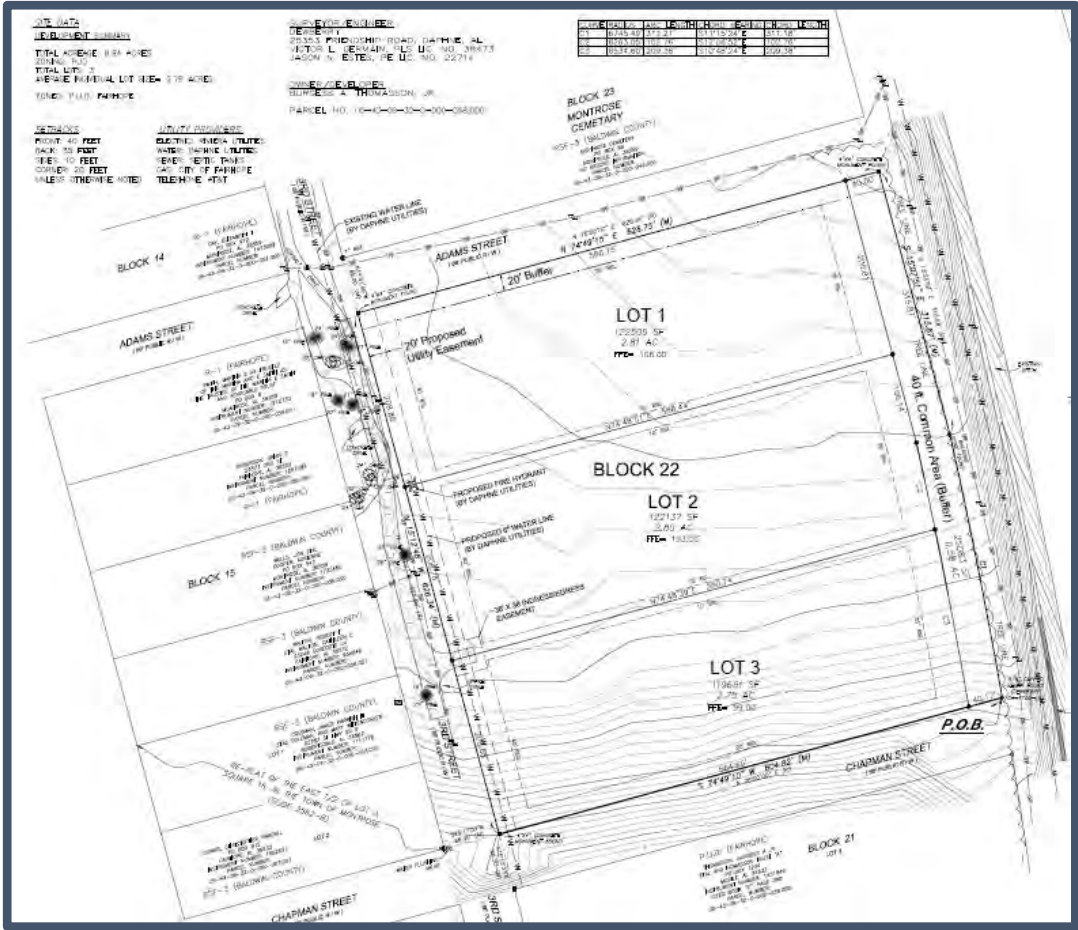


Figure 1: Boundary Survey and Draft Plat of Subdivision

Comments:

Various rights-of-way in the Montrose area were annexed into the City of Fairhope on June 14, 2024 (Ord. 1801). The 3rd Street right-of-way, adjacent to this phase, was included with the annexation.

The following items were conditions of approval for the Preliminary Plat:

1. Please add "Pedestrian" to the "20 ft Utility Easement" notations on the Boundary Survey and Plat.
2. Any outside agency permits (ALDOT, Baldwin County, ADEM, etc.) required shall be obtained prior to submission of building permits.
3. Fire flows shall meet International Fire Code standards at time of Final Plat. Engineer shall provide confirmation with Final Plat application.

As a reminder, pursuant to Article VII of the Subdivision Regulations, all waivers must be requested in writing at time of Preliminary Plat submission. Staff received no waiver requests with the Preliminary Plat application. Staff did receive a waiver request with the Final Plat application. The Preliminary Plat is on the agenda as an old/new item so that the waiver can be voted on separately. The Applicant is asking for a waiver of Article VI, Section M, so that overhead power lines can remain.

M. UNDERGROUND UTILITIES:

All utilities in all proposed subdivisions shall be installed underground.

1. The Planning Commission may waive this section in all or part based on evidence that underground installation is not in the best interest of the environment or is financially not feasible.

- Streets

An extension of 3rd Street was required and approved with the preliminary plat that will be dedicated to the City as a publicly maintained road. The road is not yet installed. The Applicant explained there were permitting delays due to the annexation of rights-of-ways and associated confusion of the permitting jurisdiction. A permit application was submitted to the City of Fairhope on June 12, 2024. Without approval, some work was performed within the ROW. Major sediment runoff and failed BMP's were reported on June 22, 2024. After finding unpermitted work, all construction was halted until such time an appropriate construction permit could be obtained.

At the time of this report, plans for the paved road are approved and we are awaiting an on-site pre-construction meeting to begin work.

- Utilities

- o Water – A 6" water main, along with a fire hydrant was installed by Daphne Utilities. Daphne Water also intends to install a 10" water line along Hwy 98 to connect with the newly installed 6" water line to supply waterto this Phase. Staff has been in contact with representatives from Daphne Water about this project and construction should be underway soon.

However, there is a conflict with the conditions of the Preliminary Plat approval, which states, "Fire flows shall meet International Fire Code standards at time of Final Plat. Engineer shall provide confirmation with Final Plat application."

Water supply is not currently adequate, or at least Staff did not get confirmation as required by the Preliminary Plat application. Staff cannot ensure fire flows are adequate at this time. An alternative may be the addition of a note on the Plat that prohibits building permits until adequate fire flow is established. Staff suggests the additional note on the Plat as a condition of approval.

- o Sewer – Phase I will have septic tanks that shall be approved by Alabama Department of Public Health.
- o Electricity – Provided by Riviera Utilities.
- o Communications – Provided by AT&T.

- **Site and Drainage**

- o Per the EOR, no drainage improvements were required as part of this phase.

- **Landscaping**

- o The buffers along Hwy. 98 were added to the common area. Staff received a draft copy of the Montrose Preserve Declaration to ensure there is an Association in place to maintain the common areas. Future phases should be added to the same Association.

- **Sidewalks**

No sidewalks are being installed in this phase; however, there is a proposed 20 ft utility and pedestrian easement along 3rd Street.

Follow-Up Activities Required by Final Plat Process:

- Staff will not sign the Final Plat until the road has been installed, tested, and inspected by our Public Work Department. No Punch List has been generated because road work has not been performed.
- Copy of the recorded plat (Final Plat must be recorded within 120 days).
- Maintenance and Guarantee Agreement document is not considered fully executed until the Mayor signs said agreement.
 - o Remember to include the instrument # from the recorded plat
 - o Remember to include 30 days in paragraph 3

Recommendation:

Staff recommends Case: SD 24.15 Montrose Preserve PUD Phase I Final Plat be ***Approved with the following conditions:***

1. In lieu of fire flow requirements of the preliminary plat approval, there shall not be any further building permits given for the three lots until (a) Daphne completes the 10" water main extension AND (b) the Engineer confirms in writing the fire flow at the newly installed hydrant meets International Fire Code standards. The following note shall be added to the Plat as part of this condition, "No building permit will be issued for any lot within this subdivision until a fire flow report conforms there is adequate water to meet the fire protection requirements of the International Fire Code."
2. Roads will need to be paved and tested. Public Works shall review test results and confirm the road has passed Final Inspections prior to Staff signing the Final Plat.
3. As-builts drawings with Engineer's Certification shall be required prior to Staff signing the Final Plat. Install bollard as required by Public Works.



APPLICATION FOR SUBDIVISION PLAT APPROVAL

Application Type: ☐ Village Subdivision ☐ Minor Subdivision ☐ Informal (No Fee)
☐ Preliminary Plat ☒ Final Plat ☐ Multiple Occupancy Project

Attachments: ☐ Articles of Incorporation or List all associated investors
 Date of Application: 06/25/2024

Property Owner / Leaseholder Information

Name of Property Owner: Tommy Thomasson et al Phone Number: _____
 Address of Property Owner: P.O. Box 1234
 City: Mobile State: AL Zip: 36633

Proposed Subdivision Name: Montrose Preserve PUD Ph. 1
 No. Acres in Plat: 8.94 No. Lots/Units: 3
 Parcel No: 05-43-09-32-0-000-058.000 Current Zoning: PUD

Authorized Agent Information

Plat must be signed by the property owner before acceptance by the City of Fairhope

Name of Authorized Agent: Dewberry Phone Number: 251.929.9801
 Address: 25353 Friendship Rd
 City: Daphne State: AL Zip: 36526
 Contact Person: Cathy Barnette *CJB*

Surveyor/Engineer Information

Name of Firm: Dewberry Phone Number: 251.929.9803
 Address: 25353 Friendship Rd
 City: Daphne State: AL Zip: 36526
 Contact Person: Victor Germain

Plat Fee Calculation:

Reference: Ordinance 1269

Signatures:

I certify that I am the property owner/leaseholder of the above described property and hereby submit this plat to the City for review. *If property is owned by Fairhope Single Tax Corp. an authorized Single Tax representative shall sign this application.

Tommy Thomasson
 Property Owner/Leaseholder Printed Name

Tommy Thomasson
 Signature

06/24/2024

Date

Fairhope Single Tax Corp. (If Applicable)



Final Plat Application Checklist*

*This checklist is intended for convenience purposes only.
Refer to the Subdivision Regulations for a *complete* list of requirements.

- ☒ 2 Copies of the Plat
- ☒ 2 Sets of As-Builts
- ☒ 1 Copy of the Plat on PDF format on disk
- N/A ☐ Proof of 911 approval of street names
- ☒ 1 Copy of As-Builts on GIS for Water/Sewer Department
- ☒ Water: ~~bacteria tests, pressure test~~, flow test
- N/A ☐ Sewer: video, pressure test, vacuum test
- N/A ☐ Roads: core samples and test data
- N/A ☐ Electric: street light invoice
- ☒ Financial Guaranty, if applicable (only after 90% complete)
- ☒ Errors and Omission Insurance
- N/A ☐ Maintenance Bond
- N/A ☐ Operations and Maintenance Plan for Storm Water Pond (stand alone document)
- ☒ Street Tree Plan
- ☒ Final Plans and calculations for utility layouts
- N/A ☐ Certificate of County Engineer's approval for extra-territorial plats
- N/A ☐ Certificate of County Zoning, (must be signed and zoning of property, if any, indicated)
- N/A ☐ Memorandum of Transmittal signed indicating County's receipt of plat/plans for development being submitted before Planning Commission.
- N/A ☐ Digital and/or video image, reflecting a date and time stamp, of the storm drains
- ☒ Engineer's Certificate of design conformance.

Please note that if your site is located outside the City of Fairhope limits, but in the planning jurisdiction, the County documentation is required and your application will be considered *incomplete* without the County documentation.

ELECTRIC: RIVIERA UTILITIES
WATER: DAPHNE UTILITIES
SEWER: SEPTIC TANKS
TELEPHONE: AT&T

PARCEL NO. 05-43-09-32-0-000-058.000

BLOCK 23
MONTROSE
CEMETARY
SF-3 (BALDWIN COUNTY)
MONTROSE CEMETARY
TO BAY ST
MONTROSE AL 3655
NO RECORD INFORMATION
FARGE SOURCE
25-43-09-32-0-600-249,000

MONTHLY LOSS
 TO BVA 88
 MONTHLY A. 3888
 NO RECORD INFORMATION
 PARCEL NUMBER
 25-43-09-32-0-000-240,000

- = 6" X 8" CONCRETE MONUMENT FOUND
- = MEASUR FOUND
- (M) = MEASURED BEARING AND DISTANCE
- (R) = RECOVERED BEARING AND DISTANCE
- P.B.G. = POINT OF BEGINNING
- R/W = RIGHT OF WAY
- TL = POWER POLE / SERVICE POLE
- FL = FIRE LINE
- FLUSHING / FIRE HYDRANT
- W = WATER METER
- L = LIGHT POLE
- ▲ = UTILITY MARKER
- = PINE TREE
- ⊙ = OAK TREE
- = OVERHEAD POWER LINE
- - - = TREE LINE
- P.U.L. = PLANNED UNIT DEVELOPMENT
- R-1 = LOW DENSITY SINGLE-FAMILY (TOWNH)
- MS-1 = POINT OF BEGINNING
- FFE = FINISHED FLOOR ELEVATION

[illegible]

1.5 = 3 MOE

I, _____, AS PROPRIETOR(S), HAVE CAUSED THE LAND EMBRACED IN THE WITHIN PLAT TO BE SURVEYED, Laid OUT AND PLATTED TO BE KNOWN AS MONTROSE PRESERVE PHASE ONE, A PART OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA, AND THAT THE EASEMENTS AS SHOWN ON SAID PLAT ARE HEREBY DEDICATED TO THE USE OF THE PUBLIC.

ITS _____

STATE OF ALABAMA
COUNTY OF BALDWIN

I, _____ A NOTARY PUBLIC IN AND FOR
THE COUNTY OF _____ IN THE STATE OF
ALABAMA (TO CERTIFY THAT WHOSE NAME(S) IS (ARE) SUBSCRIBED TO
THE CERTIFICATION OF SWEARSHIP AND DEDICATION, APPEARED BEFORE
ME THIS DAY IN PERSON AND ACKNOWLEDGE THAT HE/SHE (THEY)
SIGNED, SEALED AND DELIVERED BEFORE ME THIS DAY IN PERSON AND
ACKNOWLEDGE THAT HE/SHE (THEY) SIGNED, SEALED AND DELIVERED A
STRUMENT AS HIS/HER (THEIR) FREE AND VOLUNTARY ACT FOR THE
USES AND PURPOSES THEREIN SET FORTH.

NOTARY PUBLIC

THIS PROPERTY LIES WITHIN ZONE "X" (UNSHADED) AS SCALED FROM THE FEDERAL
EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP OF BALDWIN COUNTY,
ALABAMA, MAP NUMBER 11003C0034M. COMMUNITY NUMBERS 030005 AND 030006,
PANEL NUMBER 0034 SUFFY M. MAP REVISED DATE APRIL 11, 2019.

ALL MEASUREMENTS WERE MADE IN ACCORDANCE WITH U.S. STANDARDS; THERE MAY BE RECORDED ON UNDESIGNED DEEDS, EASEMENTS, RIGHT-OF-WAYS OR OTHER INSTRUMENTS WHICH MIGHT AFFECT THE BOUNDARIES OR ADJACENT INTERESTS. THESE MEASUREMENTS WERE TAKEN BY THE FOLLOWING METHODS: STREETS ARE SHOWN FOR VISUAL PURPOSES ONLY AND WERE NOT SURVEYED UNLESS RIGHT-OF-WAY INFORMATION IS ALSO SHOWN.

DATA IS RECORDED FOR THIS SURVEY ARE BASED UPON STATE PLANE 1983 COORDINATES, ALABAMA WEST ZONE (NAD1983).

THE ELEVATIONS SHOWN HEREON ARE BASED ON NAVD 83 (GEOID18). SOME ELEVATIONS SHOWN ARE BASED UPON DECEMBER FIELD LOCATED DATA.

CONSERVATIONS WERE TAKEN USING REAL TIME KINEMATICS (RTK).

SURVEY WAS CONDUCTED ON DECEMBER 21, 2023 AND IS RECORDED IN FIELD BOOK 337, PAGE 77, FIELD BOOK 338, PAGE 4 AND IN AN ELECTRONIC DATA FILE.

BOUNDARIES WERE OBSERVED.

ALL NON-LABELED PROPERTY LINES ARE FOR INFORMATIONAL PURPOSES ONLY AND ARE NOT IN DIRECT RELATION TO THE SUBJECT PARCEL.

SURFACE FEATURES:

1. THERE WAS NO ATTEMPT TO DETERMINE THE EXTENT OF LOCALIZATION OF ANY SURFACE FEATURES.

2. SOME RIGHT-OF-WAYS SHOWN ARE NOT IN USE.

3. SOME RECORD INFORMATION SHOWN IN DEED BOOK "E", PAGE 388 IS ILLEGIBLE AND WAS OBTAINED FROM THIS SURVEY.

4. WATER LINE DISPLAYED WAS DIGITIZED FROM CITY OF DAPHNE ILS INFORMATION.

I, VICTOR L. GERMAN, A LICENSED SURVEYOR OF BALDWIN COUNTY, ALABAMA, HEREBY
CERTIFY THAT I HAVE SURVEYED THE BELOW DESCRIBED PROPERTY SITUATED IN BALDWIN
COUNTY, ALABAMA.

ALL THAT PART OF BLOCK 22, LYING WEST OF U.S. HIGHWAY 98, OF THE TOWN OF MONTROSE, AS SHOWN IN MAP OR PLAT THEREOF RECORDED IN DEED BOOK "E" PAGE 389 OF THE RECORDS OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA

LANDS MORE PARTICULARLY DESCRIBED AS FOLLOW:

BEARING) AT 5/0.11 (APPED REAR FOUND) (REMARKS CA-100-15) AT THE INTERSECTION OF THE WEST NIGHT-OF-WAY OF U.S. HIGHWAY 58 (NIGHT-OF-WAY VARIES) AND THE NORTH RIGHT-OF-WAY OF CHAMPAIGN STREET (88 FEET RIGHT-OF-WAY); THENCE RUN 574.9167"W, ALONG SAID NORTH RIGHT-OF-WAY, A DISTANCE OF 804.82 FEET, TO A 4"x4" CONCRETE MONUMENT FOUND, ON THE EAST NIGHT-OF-WAY OF SAID STREET (88 FEET RIGHT-OF-WAY), ALIGNED WITH THE SOUTH RIGHT-OF-WAY OF SAID STREET AS SHOWN IN MAP OR PLAT THEREOF RECORDED IN DEED BOOK "E", PAGE 346, THENCE RUN N152°48'W, ALONG SAID EAST NIGHT-OF-WAY, A DISTANCE OF 626.534 FEET, TO A 4"x4" CONCRETE MONUMENT FOUND, ON THE SOUTH RIGHT-OF-WAY OF ADAMS STREET (86 FEET RIGHT-OF-WAY), SAID POINT ALSO BEING THE NORTHWEST CORNER OF BLOCK 25, THENCE RUN S89°00'W, ALONG SAID SOUTH RIGHT-OF-WAY, A DISTANCE OF 100.00 FEET, TO A 4"x4" CONCRETE MONUMENT FOUND, ON THE WEST RIGHT-OF-WAY OF U.S. HIGHWAY 58 (NIGHT-OF-WAY VARIES); THENCE RUN S107°07'W, ALONG SAID WEST RIGHT-OF-WAY, A DISTANCE OF 315.97 FEET, TO A RAILROAD SPIKE FOUND; THENCE CONTINUE ALONG SAID RAILROAD SPIKE, TO A CURB AND GUTTER ON THE RIGHT; HANGING AN ARC OF 274.40 FEET, AN ARC LENGTH OF 311.21 FEET, (CHORD BEARS S 115°24' E, FOR A CHORD DISTANCE OF 311.18 FEET) TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 8.94 ACRES, MORE OR LESS, AND IS LYING IN AND BEING A PART OF SECTION 32, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.

(DESCRIPTION COMPOSED FROM FIELD SURVEY AND PROBATE RECORDS, BALDWIN COUNTY ALABAMA)

AND THAT THE PLAT OR MAP CONTAINED HEREON IS A TRUE AND CORRECT MAP SHOWING THE SUBDIVISION INTO WHICH THE PROPERTY DESCRIBED IS DIVIDED, GIVING THE LENGTH AND BEARINGS OF THE BOUNDARIES OF EACH LOT AND EASEMENT AND ITS NUMBER AND SHOWING THE STREETS, ALLEYS AND PUBLIC GROUNDS AND GIVING THE BEARINGS, LENGTH, WIDTH AND NAMES OF THE STREETS, SAID MAP FURTHER SHOWS THE RELATION OF THE LAND SO PLATTED TO THE GOVERNMENT SURVEY, AND THAT PERMANENT MONUMENTS HAVE BEEN PLACED AT POINTS AS HEREON SHOWN.

WITNESS MY HAND THIS THE _____ DAY OF _____ 2024.

SURVEYOR **FOR REVIEW**
ALABAMA LICENSE # 38473

GENERAL NOTES:

7. THERE IS DEDICATED HERewith A 15 FOOT DRAINAGE & UTILITY EASEMENT ON ALL EXTERNAL BOUNDARY LINES.
7. THERE IS DEDICATED HERewith A 15 FOOT DRAINAGE & UTILITY EASEMENT ON ALL INTERIOR LOT LINES 7.5 FOOT ON EITHER SIDE.
8. ACCESS TO LOTS 2 AND 3 SHALL BE FROM 3RD STREET.
9. FFE FOR EACH LOT SHOWN HEREON SHALL BE A MINIMUM OF 15 INCHES ABOVE GRADE.
10. ALL ROADS TO BE PRIVATELY MAINTAINED.

CERTIFICATE OF APPROVAL BY THE PLANNING COMMISSION OF THE CITY OF FAIRHOPE, ALABAMA

APPROVED BY THE CITY OF FAIRHOPE PLANNING COMMISSION, BY APPROVAL OF THIS SUBDIVISION PLAT THE PLANNING COMMISSION OF THE CITY OF FAIRHOPE ASSUMES NO RESPONSIBILITY FOR SURVEY ERRORS OR FOR DEFECTS OR ORENCIENCIES IN THE TITLE TO THE PROPERTY AFFECTED BY THE PLAT, AND ANY SUCH RESPONSIBILITY IS HEREBY AFFIRMATIVELY DISCLAIMED.

CERTIFICATE OF APPROVAL BY THE PLANNING
DIRECTOR OF FAIRHOPE, ALABAMA

THE UNDERSIGNED, AUTHORIZED BY THE CITY OF FAIRHOPE PLANNING COMMISSION, HEREBY APPROVES THE WITHIN RE-PLAT OF THE RECORDING OF THE SAME IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA. BY APPROVAL OF THIS PLAT THE PLANNING DIRECTOR OF FAIRHOPE ASSUMES NO RESPONSIBILITY FOR SURVEY ERRORS OR FOR DEFECTS OR DEFICIENCIES IN THE TITLE TO THE PROPERTY AFFECTED BY THIS PLAT AND ANY SUCH RESPONSIBILITY IS HEREBY AFFIRMATIVELY DISCLAIMED.

PLANNING DIRECTOR	DATE
-------------------	------

THE UNDERSIGNED, AS AUTHORIZED BY DAPHNE UTILITIES HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.

THIS _____ DAY OF _____ 20____

AUTHORIZED REPRESENTATIVE

THE UNDERSIGNED, AS AUTHORIZED BY RIVIERA UTILITIES HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.

THIS _____ DAY OF _____ 20_____

AUTHORIZED REPRESENTATIVE

THE UNDERSIGNED, AS AUTHORIZED BY AT&T HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.

THIS _____ DAY OF _____, 20____

AUTHORIZED REPRESENTATIVE

THE UNDERSIGNED, AS AUTHORIZED BY THE CITY OF FAIRHOPE HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.

THIS _____ DAY OF _____, 20____

AUTHORIZED REPRESENTATIVE

THE LOT(S) ON THIS PLAN ARE SUBJECT TO APPROVAL OR DELETION BY THE BALDWIN COUNTY LAND DEPARTMENT. NO REPRESENTATION IS MADE THAT ANY LOT ON THIS PLAN WILL ACCOMMODATE AN ONSITE SEWAGE SYSTEM (OSS). THE APPROPRIATENESS OF A LOT FOR WASTEWATER (SEWAGE) TREATMENT AND DISPOSAL SHALL BE DETERMINED WHEN AN APPLICATION IS SUBMITTED, IF PERMITTED, THE LOT APPROVAL MAY CONTAIN CERTAIN CONDITIONS WHICH RESTRICT THE USE OF THE LOT OR OBLIGATE OWNERS TO SPECIAL MAINTENANCE AND REPORTING REQUIREMENTS, AND THERE ARE ON FILE WITH THE SAID HEALTH DEPARTMENT AND ARE MADE A PART OF THIS PLAN AS IF SET OUT HEREIN.

SIGNED THIS THE _____ DAY OF _____, 20____

ENVIRONMENTALIST

MONTROSE PRESERVE PUD PHASE ONE

FINAL PLAT
JUNE 25, 2024 - SHEET 1 OF 1

BOUNDARY SURVEY AND FLAT OF SUBDIVISION			
DESIGN	N/A	DRAWN	J.D.G./V.L.G.
CHKD	V.L.G.	PROJ MGR	J.N.E.
ENGR	J.N.E.	SURVEYOR	V.L.G.
 Dewberry 2000 W. HENRIEVILLE ROAD, SUITE 200, ALBANY, NY 12242-1000 518.486.1000 FAX 518.486.1001		SCALE	1"=60'
		PROJ. NO.	50168603
		FILE	50168603 - PHASE ON PRELIM
		SHEET	1 OF 1

Declaration of Covenants, Conditions and
Restrictions
for
Montrose Preserve,
a Planned Unit Development

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
MONTROSE PRESERVE,
A PLANNED UNIT DEVELOPMENT

STATE OF ALABAMA

COUNTY OF BALDWIN

This **Declaration** made to be effective on the **Effective Date** (as defined in this **Declaration**) by **Leigh Thomasson Brown, Albert Daniel Thomasson, and Burgess A. Thomasson, Jr.** (collectively referred to as the "**Declarant**").

RECITALS:

A. The **Declarant** is the owner of the real property located in **Baldwin County, Alabama**, which is known as **Montrose Preserve, a Planned Unit Development** recorded in the **Office of the Judge of Probate of Baldwin County, Alabama**, in _____ (the "**Plat**"), together with all improvements and appurtenances sometimes referred to in this **Declaration** as "**Montrose Preserve**".

B. The **Declarant** intends by this **Declaration** to impose upon **Montrose Preserve** mutually beneficial restrictions under a general plan of improvement for the benefit of all **Owners of Lots in Montrose Preserve** and to provide a method whereby other property may become part of **Montrose Preserve** subject to this **Declaration** by the recordation of a supplement to this **Declaration**.

C. The **Declarant** has caused the **Montrose Preserve Property Owners' Association, Inc., an Alabama Nonprofit Corporation** (the "**Association**") to be formed as a master association for the purpose of providing an **Alabama Nonprofit Corporation** to serve as representative of the **Declarant** and the **Owners of Montrose Preserve**.

D. The **Association** and **Montrose Preserve** shall be subject to the terms and conditions of this **Declaration**.

NOW, THEREFORE, the **Declarant** declares that **Montrose Preserve** and any **Additional Property** as may by **Subsequent Amendment** be added to and subjected to this **Declaration** shall be held, sold and conveyed or encumbered, rented, used, occupied and improved, subject to the following easements, restrictions, covenants and conditions, which are for the purpose of protecting the value and desirability of and which shall run with the land and which shall be binding on all parties having any right, title or interest in **Montrose Preserve** or any part of **Montrose Preserve**, their heirs, successors and assigns, and shall inure to the benefit of each **Owner of Montrose Preserve**. **Provided, however**, by one or more **Subsequent Amendments**, the **Declarant** has the right, but is not obligated, to subject other real property or **Additional Property** to this **Declaration**, as provided in this **Declaration**.

Article I
Definitions

The following words and terms when used in this **Declaration** or any **Subsequent Amendment**

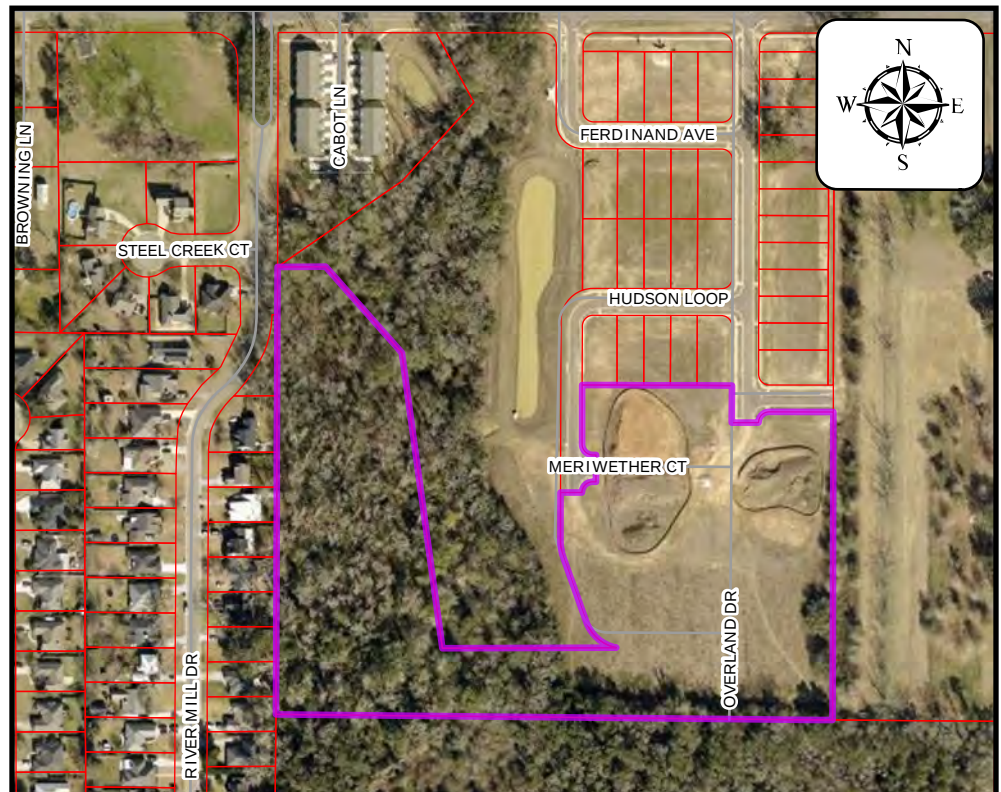
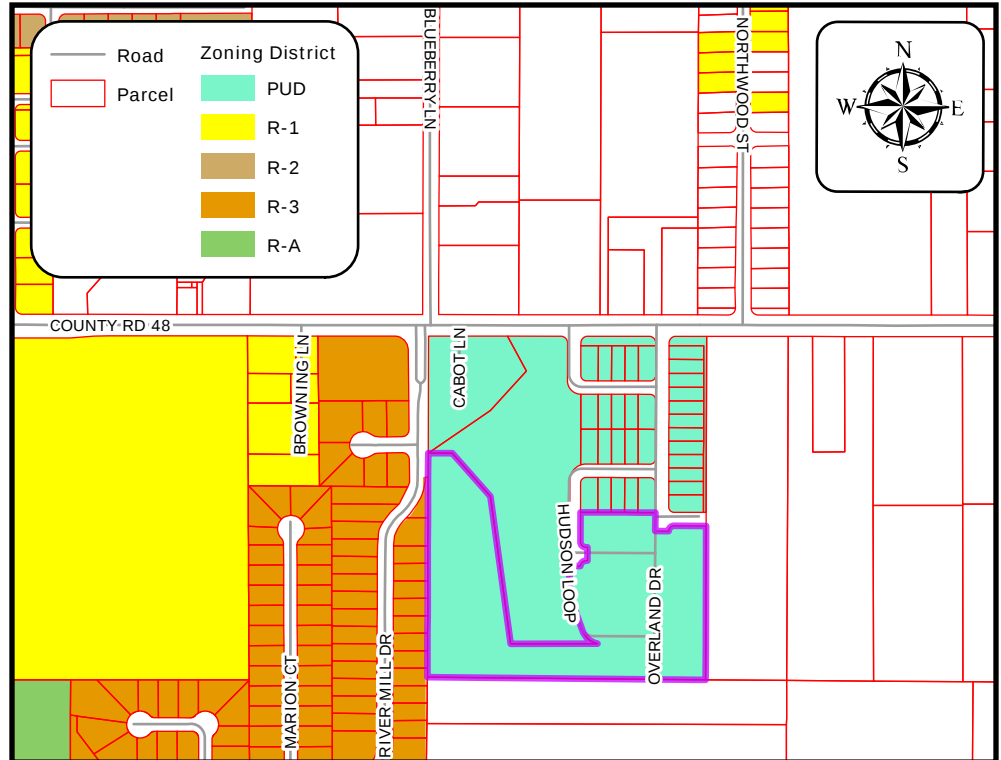
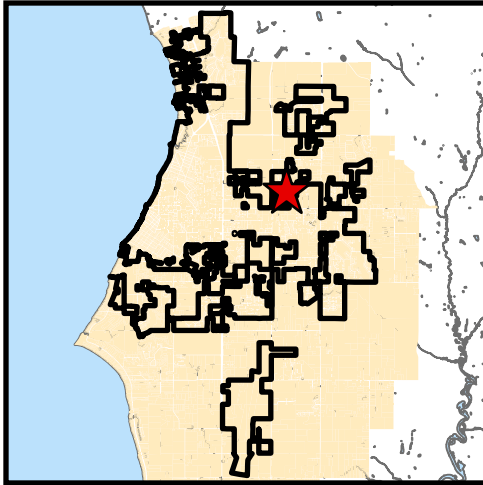
City of Fairhope

Planning Commission

August 5, 2024



SD 24.18 - Overland Phase II



Project Name:

Overland Phase II

Site Data:

12.48 acres

Project Type:

29-lot subdivision

Jurisdiction on:

Fairhope Planning Jurisdiction

Zoning District:

PUD

PPIN Number:

617994

General Location:

East of River Mill Drive, South of
County Road 48

Surveyor of Record:

S.E. Civil

Engineer of Record:

S.E. Civil

Owner / Developer:

68V Overland 2021, LLC

School District:

Fairhope Elementary School
Fairhope Middle and High Schools

Recommendation:

Approved w/ Conditions

Prepared by:

Mike Jeffries



APPLICATION FOR SUBDIVISION PLAT APPROVAL

Application Type: ☐ Village Subdivision ☐ Minor Subdivision ☐ Informal (No Fee)
☐ Preliminary Plat ☒ Final Plat ☐ Multiple Occupancy Project

Attachments: ☒ Articles of Incorporation or List all associated investors

Date of Application: 4/9/2024

Property Owner / Leaseholder Information

Name of Property Owner: 68V Overland 2021, LLC Phone Number: 251-610-0769

Address of Property Owner: 707 Belrose Ave.

City: Daphne

State: AL

Zip: 36526

Proposed Subdivision Name: Overland Phase II

No. Acres in Plat: 12.48

No. Lots/Units: 29

Parcel No: 05-46-06-14-0-000-002.000

Current Zoning: PUD

Authorized Agent Information

(Plat must be signed by the property owner before acceptance by the City of Fairhope)

Name of Authorized Agent: Aaron Collins Phone Number: 251-990-6566

Address: 9969 Windmill Road

City: Fairhope

State: AL

Zip: 36532

Contact Person: Aaron Collins

Surveyor/Engineer Information

Name of Firm: S.E. CIVIL Phone Number: 251-990-6566

Address: 9969 Windmill Road

City: Fairhope

State: AL

Zip: 36532

Contact Person: David Diehl

Plat Fee Calculation:

Reference: Ordinance 1269

Signatures:

I certify that I am the property owner/leaseholder of the above described property and hereby submit this plat to the City for review. *If property is owned by Fairhope Single Tax Corp. an authorized Single Tax representative shall sign this application.

Aaron Collins (as agent)

Property Owner/Leaseholder Printed Name

4/9/2024

Date

[Signature]
Signature

Fairhope Single Tax Corp. (If Applicable)

Summary of Request:

Public hearing to consider the request of the applicant, S.E. Civil, LLC, acting on behalf of the Owner, 68V Overland 2021, LLC, for Final Plat approval of Overland Subdivision Phase 2, a 29-lot Major Subdivision. The property is approximately 12.48 acres and is zoned as a PUD – Planned Unit Development. The property is located at the southeast corner of the intersection of County Road 48 and River Mill Drive. The preliminary plat was approved at the November 1, 2021, Planning Commission meeting and received a 1-year extension at the October 2nd, 2023, Planning Commission meeting.

Site Data

SITE DATA	
CURRENT ZONING: P.U.D.	REQUIRED SETBACKS:
MAX BLDG HEIGHT: 30 FT	FRONT: 25 FEET
MAX COVERAGE:	REAR: 25 FEET
(PRINCIPAL STRUCT) 45%	SIDE: 5 FEET
MINIMUM HOUSE: 1,600 SF	SIDE STREET: 20 FEET
LIN. FT. STREETS: 1,371 LF	
TOTAL LOTS: 29	
DENSITY: 2.32 / AC.	
MINIMUM LOT: 6,500 SF	
SMALLEST LOT: 6,500 SF	
LARGEST SF LOT: 11,338 SF (LOT 50)	
COMMON AREAS: 6.28 AC (50%)	
TOTAL AREA: 12.48 AC.	
	WATER SERVICE: CITY OF FAIRHOPE
	SEWER SERVICE: CITY OF FAIRHOPE
	ELECTRIC SERVICE: BALDWIN EMC
	TELEPHONE SERVICE: AT&T

Site Plan



Comments:

The development, Overland Phase 2, is the last development portion of the approved PUD. Overland Phase 1 was finalized at the October 2022 Planning Commission meeting and Overland Townhomes was approved at the February 2023 Planning Commission meeting. Overland Phase 2 has been built in accordance with the design and engineered plans of the approved preliminary plat in May 2021. All conditions of the preliminary plat have been met.

- All sidewalks and street trees have been installed. The watering and maintenance of the trees and maintenance of the sidewalks will be the responsibility of the subdivider.
- The engineer has provided his engineer's certificate for the design and construction of the improvements constructed for the subdivision and shall sign the plat.
- Current walking trails are mulch paths. The mulch paths have washed out several times. The O&M Plan has been amended to include a required maintenance plan for the mulch trail.
 - o Staff has concerns with the long term viability of the proposed path even with the maintenance plan. The path in phase 1 has been neglected. See images in packet.
 - o The POA will be responsible for the routine maintenance and repair and keeping them in good working order.
 - o Currently the boardwalk needs to be repaired due to a fallen tree.
 - o The path in the woods needs clear markings of the path area.

The subdivision regulations contain the following criteria in Article IV.B.2. Approval Standards.

"2. Consistency with Plans, Regulations and Laws - The Planning Commission shall not approve the subdivision of land if the Commission makes a finding that such land is not suitable for platting and development as proposed, due to any of the following:

a. The proposed subdivision is not consistent with the City's Comprehensive Plan, and/or the City's Zoning ordinance, where applicable;

- ***Meets***

b. The proposed subdivision is not consistent with the City's Comprehensive Plan or any other plan or program for the physical development of the City including but not limited to a Master Street Plan, a Parks Plan, a Bicycle Plan, a Pedestrian Plan, or the Capital Improvements Program;

- ***Meets***

c. The proposed subdivision is not consistent with these Regulations;

- ***Meets***

d. The proposed subdivision is not consistent with other applicable state or federal laws and regulations;
or

- ***Meets***

e. The proposed subdivision otherwise endangers the health, safety, welfare or property within the planning jurisdiction of the City."

- ***Meets***

Follow-Up Activities Required by Final Plat Process:

- Copy of the recorded plat (Final Plat must be recorded within 120 days of acceptance)
- Copy of the recorded O&M Agreement (Add Ph2 to the Ph1 O&M Agreement)
- Maintenance and Guarantee Agreement executed by the subdivider – this document is not considered fully executed until the Mayor signs said agreement.
 - o Remember to include the instrument # from the recorded plat
 - o Remember to include 30 days in paragraph 3

Recommendation:

Staff recommends **Conditional Approval** of SD 24.18 Overland, Phase 2 Final Plat **subject to the following condition:**

1. Amend the Site Data table to read “Current Zoning: P.U.D Ordinance #1713”
2. Add General Notes to plat:
 - Drainage and Utility easements exists over all common areas.
 - The Property Owners Association is responsible for the maintenance of the walking trails and keeping them in good working order.
3. Remove Planning Director signature block from the plat.
4. Repair the boardwalk.
5. Add trail markings to indicate the path through the woods to be approved by the Planning Director.

P.O.C.

R.R.S.P. PREVIOUSLY LOCATED AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 6 SOUTH RANGE 2 EAST

BALDWIN CO. HWY 48 (A.K.A FAIRHOPE AVE.) 80 FT. R/W

LEGEND:
B.S.L. = BUILDING SETBACK LINE
(R) = RECORD BEARING/DISTANCE
CRF = CAPPED REBAR FOUND
CRB = CAPPED REBAR SET
W.F. = WOOD FENCE
W.T. = WETLAND TAC

GREENSPACE MAINTENANCE

GREENSPACE AREAS AS SHOWN HEREON ARE DEDICATED AS PUBLIC ACCESS AND USE. EASEMENT MAINTENANCE OF GREENSPACE AREAS IS THE SOLE RESPONSIBILITY OF THE OVERLAND PROPERTY OWNERS ASSOCIATION AND NOT THE CITY OF FAIRHOPE.

FLOOD CERTIFICATE:

PROPERTY LIES IN FLOOD ZONE "X". "X-SHADED", "AE" AND A FLOODWAY AS SHOWN FROM FLOOD INSURANCE RATE MAP NUMBER 01003C066M, COMMUNITY NUMBER 015000, PANEL 0664, SUFFIX "M", DATED APRIL 19, 2019.

GREEN SPACE DEVELOPMENT SUMMARY

PHASE 1 GREENSPACE 4.04 AC.
PHASE 2 GREENSPACE 4.47 AC.
T.H. GREENSPACE 0.51 AC.
TOTAL GREENSPACE 9.02 AC.

GREEN SPACE SUMMARY

TOTAL GREENSPACE FROM PUD 9.02 AC.
PHASE 2 GREENSPACE 4.43 AC.

QUALIFYING GREEN SPACE CALCULATION

4.43 UPLAND AREAS
0.04 30% OF PONDS
4.47 TOTAL ACRES (35.8% OF TOTAL SITE)



VICINITY MAP
1" = 1 MILE

LINE	BEARING	DISTANCE
L1	N89°40'59"W	50.00'
L2	S89°40'59"E	50.00'
L3	S00°19'01"W	50.00'
L4	N89°40'59"W	50.00'
L5	N89°40'59"W	40.00'
L6	S00°19'01"W	8.74'
L7	S00°19'01"W	14.02'

SITE DATA

CURRENT ZONING: P.U.D.
MAX BLDG HEIGHT: 30 FT.
MAX COVERAGE: (PRINCIPAL STRUCT) 45%
MINIMUM HOUSE: 1,600 SF
LIN. FT. STREETS: 1,371 LF
TOTAL LOTS: 29
DENSITY: 2.32 / AC.
MINIMUM LOT: 6,500 SF
SMALLEST LOT: 6,500 SF
LARGEST SF LOT: 11,338 SF (LOT 50)
COMMON AREAS: 6.28 AC (50%)
TOTAL AREA: 12.48 AC

REQUIRED SETBACKS:

FRONT: 25 FEET
REAR: 25 FEET
SIDE: 5 FEET
SIDE STREET: 20 FEET

WATER SERVICE: CITY OF FAIRHOPE
SEWER SERVICE: CITY OF FAIRHOPE
ELECTRIC SERVICE: BALDWIN EMC
TELEPHONE SERVICE: AT&T

OWNER/DEVELOPER
68V OVERLAND 2021, LLC
707 BELLORE AVE.
DAPHNE AL 36526

PARCEL NO: 05-46-06-14-0-000-002.000

SURVEYOR'S NOTES:

- THERE MAY BE RECORDED OR UNRECORDED DEEDS, EASEMENTS, RIGHT-OF-WAYS, OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES OF SAID PROPERTIES. THERE WAS NO ATTEMPT TO DETERMINE THE EXISTENCE, LOCATION, OR EXTENT OF ANY SUB-SURFACE FEATURES.
- THE LINES REPRESENTING THE CENTERLINE AND RIGHT-OF-WAYS OF THE STREETS ARE SHOWN FOR VISUAL PURPOSES ONLY AND WERE NOT SURVEYED UNLESS RIGHT-OF-WAY MONUMENTATION IS ALSO SHOWN.
- SURVEY WAS CONDUCTED ON AUGUST 2020 AND MARCH 2024. AND IS RECORDED IN AN ELECTRONIC FIELD BOOK.
- BEARINGS AND DISTANCES SHOWN HEREON WERE "COMPUTED" FROM ACTUAL FIELD TRAVERSES, AND ARE BASED ON STATE PLANE GRID, ALABAMA WEST ZONE USING GPS OBSERVATIONS.
- THIS SURVEY HAS BEEN COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA, EFFECTIVE JANUARY 1, 2017.

P.U.D. NOTE:

OVERLAND, PHASE 2 SHALL BE BUILT IN SUBSTANTIAL COMPLIANCE WITH THE PUD APPROVAL - CASE ZC 21.01

CERTIFICATE OF APPROVAL BY BALDWIN E.M.C.

THE UNDERSIGNED, AS AUTHORIZED BY BALDWIN EMC HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS ____ DAY OF ____ 2024.

AUTHORIZED REPRESENTATIVE

CERTIFICATE OF APPROVAL BY AT&T

THE UNDERSIGNED, AS AUTHORIZED BY AT&T HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS ____ DAY OF ____ 2024.

AUTHORIZED REPRESENTATIVE

GENERAL NOTES:

- FOR THE LOCATION OF ALL UTILITIES, SEE CONSTRUCTION PLANS.
- STORMWATER DETENTION AREAS ARE NOT THE RESPONSIBILITY OF CITY OF FAIRHOPE TO MAINTAIN.
- ALL UTILITIES WILL BE CONSTRUCTED UNDERGROUND.
- THERE IS DEDICATED HERETHWITH A 10 FOOT UTILITY EASEMENT (5 FT. EACH SIDE) ON ALL LOT LINES AND A 10 FT. UTILITY EASEMENT ALONG ALL RIGHTS-OF-WAYS AND COMMON AREAS ADJACENT TO THE RIGHT-OF-WAYS AND COMMON AREA LINES, UNLESS OTHERWISE NOTED.
- THERE IS DEDICATED HERETHWITH A 15 FOOT DRAINAGE EASEMENT (7.5' EACH SIDE) ALONG THE REAR LOT LINES OF ALL LOTS (UNLESS SHOWN OTHERWISE) AND A 10 FOOT DRAINAGE EASEMENT ALONG ALL SIDE LOT LINES (5 FOOT OFF EACH SIDE).
- MINIMUM FINISHED FLOOR ELEVATION SHALL BE 15' ABOVE THE HIGHEST GROUND ELEVATION 10 FEET OUTSIDE OF BUILDING. SEE THE FAIRHOPE BUILDING DEPARTMENT FOR SPECIFIC REQUIREMENTS.
- ADJACENT STREETS TO ADJACENT PROPERTIES THAT ARE NOT CONNECTED AT THE TIME OF THE IMPROVEMENTS SHALL BE POSTED WITH A STOP SIGN BLANK READING "FUTURE THROUGH STREET".
- A PROPERTY OWNERS' ASSOCIATION (POA) IS REQUIRED TO BE FORMED. THE POA IS REQUIRED TO MAINTAIN ANY AND ALL STORM WATER FACILITIES AND STRUCTURES LOCATED OUTSIDE OF THE PUBLICLY ACCEPTED RIGHT-OF-WAY.

CERTIFICATE OF APPROVAL BY THE PLANNING COMMISSION

APPROVED BY THE CITY OF FAIRHOPE PLANNING COMMISSION, BY APPROVAL OF THIS SURVEYOR PLAT THE PLANNING COMMISSION OF THE CITY OF FAIRHOPE ASSUMES NO RESPONSIBILITY FOR SURVEY ERRORS OR FOR DEFECTS OR DEFICIENCIES IN THE TITLE TO THE PROPERTY ATTACHED BY THE PLAT, AND ANY SUCH RESPONSIBILITY IS HEREBY AFFIRMATIVELY DISCLAIMED.

SECRETARY

CERTIFICATE OF APPROVAL BY THE FAIRHOPE PLANNING DIRECTOR

THIS PLAT HAS BEEN SUBMITTED TO AND CONSIDERED BY THE CITY PLANNING COMMISSION OF FAIRHOPE, ALABAMA, AND IS APPROVED BY SUCH COMMISSION. THE CITY OF FAIRHOPE PLANNING COMMISSION

BY:

CERTIFICATE OF APPROVAL BY CITY OF FAIRHOPE UTILITIES (WATER):

THE UNDERSIGNED, AS AUTHORIZED BY THE CITY OF FAIRHOPE UTILITIES HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS ____ DAY OF ____ 2024.

AUTHORIZED REPRESENTATIVE

CERTIFICATE OF APPROVAL BY CITY OF FAIRHOPE UTILITIES (SEWER):

THE UNDERSIGNED, AS AUTHORIZED BY THE CITY OF FAIRHOPE UTILITIES HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS ____ DAY OF ____ 2024.

AUTHORIZED REPRESENTATIVE

LICENSED ENGINEER'S CERTIFICATION OF IMPROVEMENTS

I, THOMAS LARRY SMITH, A REGISTERED ENGINEER IN THE STATE OF ALABAMA HOLDING CERTIFICATE NUMBER 28265, HEREBY CERTIFY THAT I HAVE DESIGNED THE WITHIN IMPROVEMENTS IN CONFORMITY WITH APPLICABLE CODES AND LAWS AND WITH THE PRINCIPALS OF GOOD ENGINEERING PRACTICE. I FURTHER CERTIFY THAT I HAVE OBSERVED THE CONSTRUCTION OF THE WITHIN IMPROVEMENTS, THAT THE SAME CONFORMS TO MY DESIGN, THAT THE WITHIN IS A TRUE AND ACCURATE REPRESENTATION OF IMPROVEMENTS AS INSTALLED AND THAT SAID IMPROVEMENTS ARE HEREBY RECOMMENDED FOR ACCEPTANCE BY THE CITY OF FAIRHOPE, ALABAMA.

PROJECT ENGINEER

DATE

MORTGAGEE'S ACCEPTANCE:

IN WITNESS WHEREOF, THE OWNERS OF THE MORTGAGE OF SHOW HEREON HAS CAUSED THIS INSTRUMENT TO BE EXECUTED BY THE UNDERSIGNED OFFICERS, THEREUNTO DULY AUTHORIZED ON THIS THE ____ DAY OF ____ 2024.

CERTIFICATION BY NOTARY PUBLIC:

ACKNOWLEDGEMENT, STATE OF ALABAMA, BALDWIN COUNTY. I, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE HEREBY CERTIFY THAT WHOSE NAME AS I AM SIGNED TO THE FOREGOING INSTRUMENT, AND WHO IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DAY THAT, BEING INFORMED OF THE CONTENTS OF THIS INSTRUMENT, HE AS SUCH MEMBER, AND WITH FULL AUTHORITY EXECUTE THE SAME VOLUNTARILY FOR AND AS THE ACT OF SAID BANK. GIVEN UNDER MY HAND AND SEAL THIS ____ DAY OF ____ 2024.

NOTARY PUBLIC COUNTY

CERTIFICATE OF OWNERSHIP

WE, 68V OVERLAND 2021, LLC, HEREBY STATE THAT WE ARE THE OWNERS OF THE LANDS DESCRIBED HEREON AND SO HEREBY DEDICATE ALL ROADS, STREETS, ALLEYS AND EASEMENTS SHOWN ON THIS PLAT TO THE PUBLIC.

WE, 68V OVERLAND 2021, LLC, WHOSE NAMES OWNERS, HAVE CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED AS INDICATED HEREON, FOR THE USES AND PURPOSES HEREON SET FORTH AND DO HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE DESIGN AND TITLE HEREON INDICATED.

DATED THIS THE ____ DAY OF ____ 2024.

BY:

CERTIFICATION BY NOTARY PUBLIC:

ACKNOWLEDGEMENT, STATE OF ALABAMA, BALDWIN COUNTY. I, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE HEREBY CERTIFY THAT WHOSE NAME AS I AM SIGNED TO THE FOREGOING INSTRUMENT, AND WHO IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DAY THAT, BEING INFORMED OF THE CONTENTS OF THIS INSTRUMENT, HE AS SUCH MEMBER, AND WITH FULL AUTHORITY EXECUTE THE SAME VOLUNTARILY FOR AND AS THE ACT OF SAID BANK. GIVEN UNDER MY HAND AND SEAL THIS ____ DAY OF ____ 2024.

NOTARY PUBLIC COUNTY

RIVER MILL DR 60 FT. R/W



Area from previous washouts

Beginning of Boardwalk

Beginning of Trail









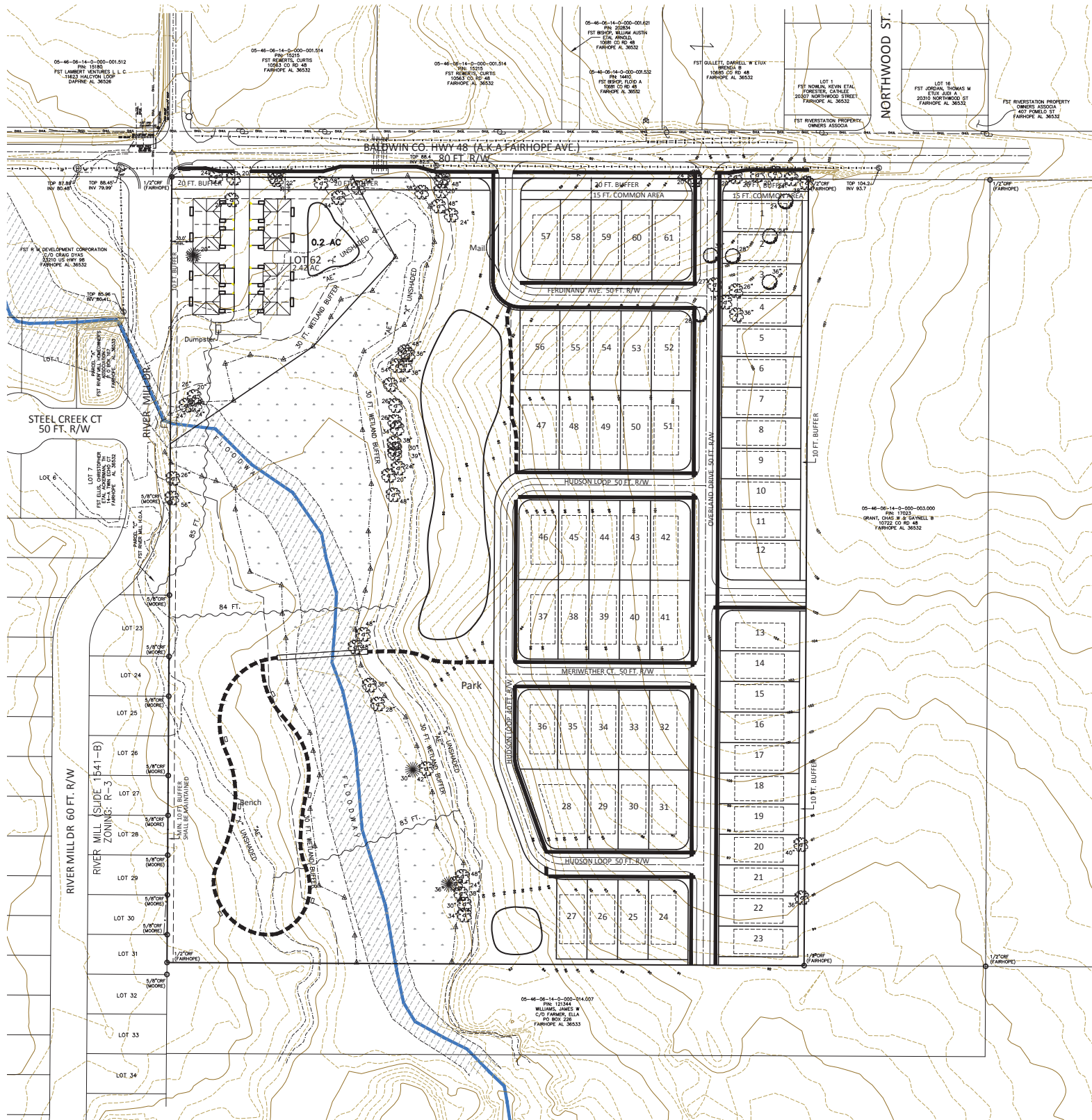
Mulch Trail Phase 1





D. HORTON
OVERLAND
Sales Information Office
MON - SAT 10AM - 6PM
SUN 1 - 6PM
251-292-1642

Mulch Trail Phase 1



FLOOD STATEMENT
PROPERTY LIES IN FLOOD ZONE "X".
"X"-SHADED, "AE" AND A FLOODWAY AS
SCALED FROM FLOOD INSURANCE RATE MAP
NUMBER 01003C0664M, COMMUNITY NUMBER
015000, PANEL 0664, SUFFIX "M", DATED
APRIL 19, 2019.

OVERLAND

A PLANNED UNIT DEVELOPMENT

OWNER
ROBERTA U. HARRIS, STEPHEN
JOHN URBANEK II, AND
MARGARET URBANEK DUNNAM
10824 U.S. HWY 98
FAIRHOPE AL 36532

DEVELOPER:
68V PAYDIRT, LLC
29891 WOODROW LANE, SUITE 300
SPANISH FORT AL 36527

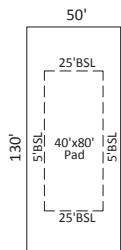
PARCEL NO: 05-46-06-14-0-000-002.000

SITE DATA

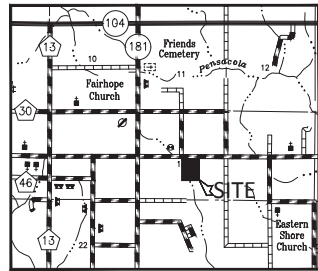
CURRENT ZONING: NONE
PROPOSED ZONING: P.U.D.
MAX BLDG HEIGHT: 30 FT
MAX COVERAGE:
(PRINCIPAL STRUCT) 45%
MINIMUM HOUSE: 1,600 SF
LIN. FT. STREETS: 3,468 LF
S.F. LOTS: 61
M.F. UNITS: 16
TOTAL UNITS: 77
DENSITY: 2.51 / AC.
MINIMUM LOT: 6,500 SF
SMALLEST LOT: 6,500 SF
LARGEST SF LOT: 11,338 SF
AVG LOT: 7,087 SF
LARGEST LOT: 2.42 AC (T.H. PARCEL)
COMMON AREAS: 14.89 AC (49%)
TOTAL AREA: 30.70 AC

REQUIRED SETBACKS:
FRONT: 25 FEET
REAR: 25 FEET
SIDE: 5 FEET
SIDE STREET: 20 FEET

WATER SERVICE: CITY OF FAIRHOPE
SEWER SERVICE: CITY OF FAIRHOPE
ELECTRIC SERVICE: BALDWIN EMC
TELEPHONE SERVICE: AT&T



TYPICAL LOT



VICINITY MAP
1" = 1 MILE

LAND USE PERCENTAGES

Single Fam. (Residential)	13.55 Ac	44%
Townhome (Residential)	0.85 Ac	3%
Wetlands	5.16 Ac	17%
Ponds	1.5 Ac	5%
Upland Open Space	8.57 Ac	28%
Buffers	1.07 Ac	3%
TOTAL	30.7 Acres	100%

GREEN SPACE DENSITY CALCULATION

30.70 TOTAL GROSS ACRES
-11.19 R.O.W., DETENTION & WETLANDS
19.51 ACRES

77/19.51 = 3.94 UNITS PER ACRE (G.S. DENSITY)
15% REQUIRED (4.61 AC.)

QUALIFYING GREEN SPACE CALCULATION

8.57 UPLAND AREAS
0.45 30% OF PONDS
9.02 TOTAL ACRES (29.4% OF TOTAL SITE)

SURVEYOR'S CERTIFICATE

I HEREBY STATE THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

COMMENCE AT A RAILROAD SPIKE AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 6 SOUTH RANGE 2 EAST, BALDWIN COUNTY, ALABAMA, AND RUN THENCE SOUTH 00 DEGREES 20 MINUTES 38 SECONDS WEST, A DISTANCE OF 40.00 FEET TO A CAPPED REBAR (FAIRHOPE) ON THE SOUTH RIGHT-OF-WAY OF FAIRHOPE AVENUE, SAID POINT ALSO BEING THE NORTHEAST CORNER OF RIVER MILL UNIT 1, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE 1541-B, BALDWIN COUNTY PROBATE RECORDS, FOR THE POINT OF BEGINNING; CONTINUE THENCE SOUTH 00 DEGREES 20 MINUTES 38 SECONDS WEST, ALONG THE WEST LINE OF SAID RIVER MILL UNIT 1, A DISTANCE OF 532.55 FEET TO A CAPPED REBAR (MOORE); THENCE RUN SOUTH 00 DEGREES 22 MINUTES 09 SECONDS WEST, CONTINUING ALONG SAID WEST LINE OF RIVER MILL, A DISTANCE OF 751.65 FEET TO A CAPPED REBAR (FAIRHOPE); THENCE RUN SOUTH 89 DEGREES 43 MINUTES 52 SECONDS EAST, A DISTANCE OF 1041.41 FEET TO A CAPPED REBAR (FAIRHOPE); THENCE RUN NORTH 00 DEGREES 19 MINUTES 01 SECONDS EAST, A DISTANCE OF 1285.40 FEET TO A CAPPED REBAR (FAIRHOPE) ON THE AFOREMENTIONED SOUTH RIGHT-OF-WAY OF FAIRHOPE AVENUE; THENCE RUN NORTH 89 DEGREES 47 MINUTES 51 SECONDS WEST, ALONG SAID SOUTH RIGHT-OF-WAY, A DISTANCE OF 1040.47 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 30.70 ACRES, MORE OR LESS.

DAVID E. DIEHL AL. P.L.S. NO. 26014 DATE 01-13-2021

SURVEY NOT VALID WITHOUT ORIGINAL SIGNATURE AND SEAL.



S.E. Civil
Engineering
& Surveying
880 HOLCOMB BLVD
FAIRHOPE, AL 36532
(251) 990-6566



OWNER
ROBERTA U. HARRIS, STEPHEN
JOHN URBANEK II, AND
MARGARET URBANEK DUNNAM
10824 U.S. HWY 98
FAIRHOPE AL 36532

DEVELOPER:
68V PAYDIRT, LLC
29891 WOODROW LANE, SUITE 300
SPANISH FORT AL 36527

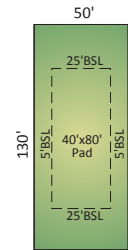
PARCEL NO: 05-46-06-14-0-000-002.000

SITE DATA

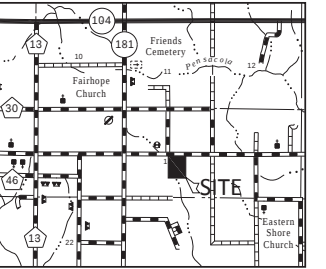
CURRENT ZONING: NONE
PROPOSED ZONING: P.U.D.
MAX BLDG HEIGHT: 30 FT
MAX COVERAGE:
(PRINCIPAL STRUCT) 45%
MINIMUM HOUSE: 1,600 SF
LIN. FT. STREETS: 3,468 LF
S.F. LOTS: 61
M.F. UNITS: 16
TOTAL UNITS: 77
DENSITY: 2.51 / AC.
MINIMUM LOT: 6,500 SF
SMALLEST LOT: 6,500 SF
LARGEST SF LOT: 11,338 SF
AVG LOT: 7,087 SF
LARGEST LOT: 2.42 AC (T.H. PARCEL)
COMMON AREAS: 14.89 AC (49%)
TOTAL AREA: 30.70 AC

REQUIRED SETBACKS:
FRONT: 25 FEET
REAR: 25 FEET
SIDE: 5 FEET
SIDE STREET: 20 FEET

WATER SERVICE: CITY OF FAIRHOPE
SEWER SERVICE: CITY OF FAIRHOPE
ELECTRIC SERVICE: BALDWIN EMC
TELEPHONE SERVICE: AT&T



TYPICAL LOT



VICINITY MAP
1" = 1 MILE

LAND USE PERCENTAGES

Single Fam. (Residential)	13.55 Ac	44%
Townhome (Residential)	0.85 Ac	3%
Wetlands	5.16 Ac	17%
Ponds	1.5 Ac	5%
Upland Open Space	8.57 Ac	28%
Buffers	1.07 Ac	3%
TOTAL	30.7 Acres	100%

GREEN SPACE DENSITY CALCULATION

30.70 TOTAL GROSS ACRES
11.19 R.O.W., DETENTION & WETLANDS
19.51 ACRES

77/19.51 = 3.94 UNITS PER ACRE (G.S. DENSITY)
15% REQUIRED (4.61 AC.)

QUALIFYING GREEN SPACE CALCULATION

8.57 UPLAND AREAS
0.45 30% OF PONDS
9.02 TOTAL ACRES (29.4% OF TOTAL SITE)

SURVEYOR'S CERTIFICATE

I HEREBY STATE THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

COMMENCE AT A RAILROAD SPIKE AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 6 SOUTH RANGE 2 EAST, BALDWIN COUNTY, ALABAMA, AND RUN THENCE SOUTH 00 DEGREES 20 MINUTES 38 SECONDS WEST, A DISTANCE OF 40.00 FEET TO A CAPPED REBAR (FAIRHOPE) ON THE SOUTH RIGHT-OF-WAY OF FAIRHOPE AVENUE, SAID POINT ALSO BEING THE NORTHEAST CORNER OF RIVER MILL UNIT 1, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE 1541-B, BALDWIN COUNTY PROBATE RECORDS. FOR THE POINT OF BEGINNING; CONTINUE THENCE SOUTH 00 DEGREES 20 MINUTES 38 SECONDS WEST, ALONG THE WEST LINE OF SAID RIVER MILL UNIT 1, A DISTANCE OF 532.55 FEET TO A CAPPED REBAR (MOORE); THENCE RUN SOUTH 00 DEGREES 22 MINUTES 09 SECONDS WEST, CONTINUING ALONG SAID WEST LINE OF RIVER MILL, A DISTANCE OF 751.65 FEET TO A CAPPED REBAR (FAIRHOPE); THENCE RUN SOUTH 89 DEGREES 43 MINUTES 52 SECONDS EAST, A DISTANCE OF 1041.41 FEET TO A CAPPED REBAR (FAIRHOPE); THENCE RUN NORTH 00 DEGREES 19 MINUTES 01 SECONDS EAST, A DISTANCE OF 1285.40 FEET TO A CAPPED REBAR (FAIRHOPE) ON THE AFOREMENTIONED SOUTH RIGHT-OF-WAY OF FAIRHOPE AVENUE; THENCE RUN NORTH 89 DEGREES 47 MINUTES 51 SECONDS WEST, ALONG SAID SOUTH RIGHT-OF-WAY, A DISTANCE OF 1040.47 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 30.70 ACRES, MORE OR LESS.

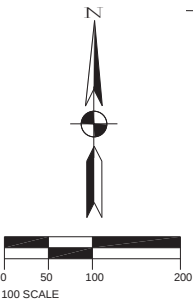
DAVID E. DIEHL AL. P.L.S. NO. 26014 01-13-2021 DATE

SURVEY NOT VALID WITHOUT ORIGINAL SIGNATURE AND SEAL.



OVERLAND
A PLANNED UNIT DEVELOPMENT

FLOOD STATEMENT
PROPERTY LIES IN FLOOD ZONE "X".
"X-SHADED" "AE" AND A FLOODWAY AS
SCALED FROM FLOOD INSURANCE RATE MAP
NUMBER 01003C0664M, COMMUNITY NUMBER
015000, PANEL 0664, SUFFIX "M", DATED
APRIL 19, 2019.



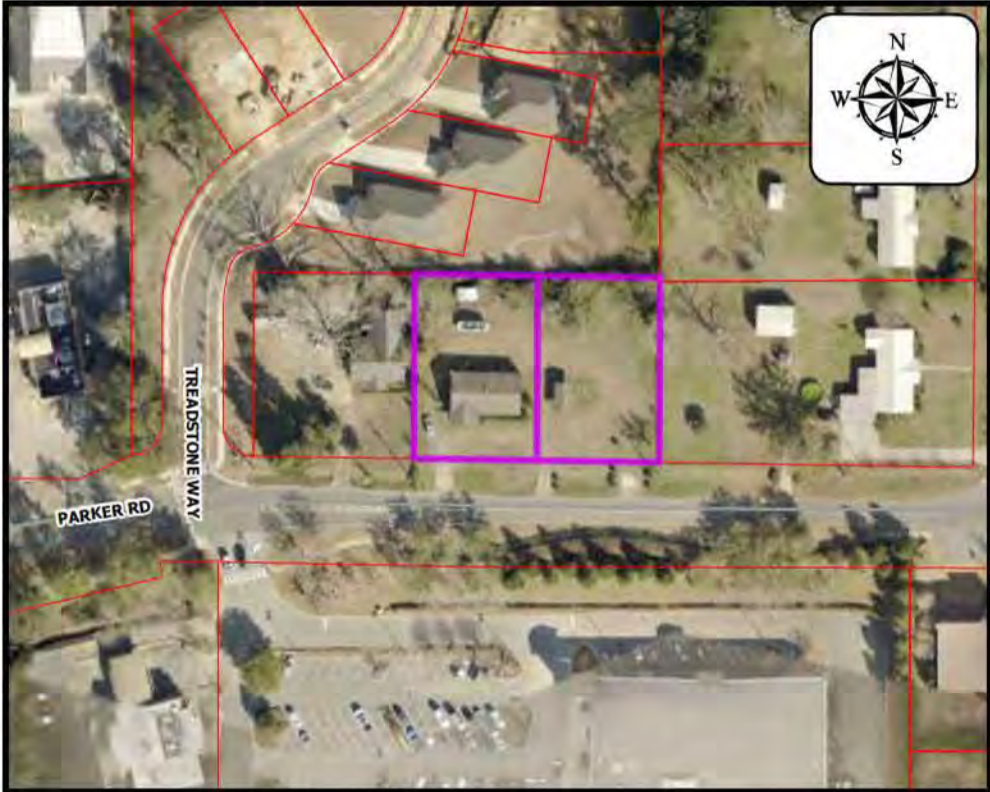
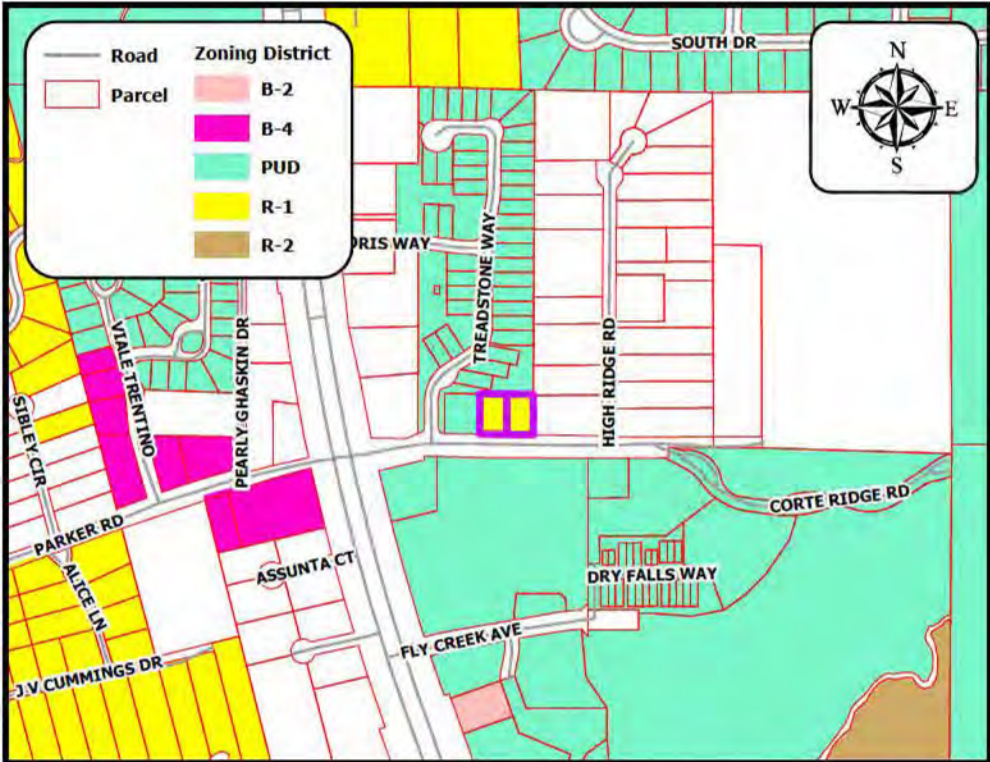
City of Fairhope

Planning Commission

August 5, 2024



ZC 24.07 - 7671 Parker Road



Project Name:
7671 Parker Road
Site Data:
0.69 acres
Project Type:
Rezone from R-1 to B-4
Jurisdiction:
Fairhope Planning Jurisdiction
Zoning District:
R-1
PPIN Number:
98380, 7684
General Location:
East of US HWY 98, North of Parker Road
Surveyor of Record:
Chris Lieb
Engineer of Record:
Chris Lieb
Owner / Developer:
Gerald W. Haring
School District:
Fairhope Elementary School Fairhope Middle and High Schools
Recommendation:
Approved w/ Conditions
Prepared by:
Michelle Melton



APPLICATION FOR ZONING DISTRICT CHANGE

Property Owner / Leaseholder Information

Name: Gerald W Haring Phone Number: 251 752 9116
 Street Address: 7671 Parker Lane
 City: Fairhope State: Alabama Zip: 36532

Applicant / Agent Information

If different from above.

Notarized letter from property owner is required if an agent is used for representation.

Name: Christopher Lieb Phone Number: 251.978.9779
 Street Address: 1290 Main Street Suite E
 City: Daphne State: AL Zip: 36526

Current Zoning of Property: R-1
 Proposed Zoning/Use of the Property: B-4 Professional Office
 Property Address: 7671 Parker Road
 Parcel Number: 05-46-03-05-0-000-010.006, 05-46-03-05-0-000-010.005
 Property Legal Description: See attached
 Reason for Zoning Change: To be able to use both the lots for professional office use.

Property Map Attached ☒ YES ☐ NO
 Metes and Bounds Description Attached ☒ YES ☐ NO
 Names and Address of all Real Property Owners
 within 300 Feet of Above Described Property Attached. ☒ YES ☐ NO

Character of Improvements to the Property and Approximate Construction Date: _____
A Gravel Parking Lot will be installed on the lot with the building as well as required maintenance items for the building.
Construction from October 2024 until December 2024.

Zoning Fee Calculation:

Reference: Ordinance 1269

I certify that I am the property owner/leaseholder of the above described property and hereby submit this application to the City for review. *If property is owned by Fairhope Single Tax Corp. an authorized Single Tax representative shall sign this application.

Glenn Haring, executor of the estate of Gerald W Haring

Glenn Haring executor of the estate of Gerald W Haring
 Signature

dotloop verified
 06/20/24 8:24 PM CDT
 POKC-9VET-BYYB-VPEQ

June 20th 2024

Date

Fairhope Single Tax Corp. (If Applicable)

To whom it may concern,

I, Lucinda Nunnally, Remax by the Bay, am the listing agent representing the family of Gerald W. Haring in the sale of 7671 Parker Lane and the adjacent lot -7693 Parker Lane.

Gerald W Haring died in March of 2022. Glenn Haring, his son, is the executor of the estate and has the authority to sign for the estate.

If you have any questions or need any further documentation, please feel free to call me an or send me an email.

Sincerely,

<i>Lucinda B Nunnally</i>	dotloop verified 06/20/24 8:35 PM CDT HCP-FBX3-IPAB-9UGN
---------------------------	--

Lucinda Nunnally
ReMax by the Bay
251 423 7127
lucinda@lucindanunnally.com

CITY OF FAIRHOPE

P.O. Box 429
Fairhope, AL 36533
(251) 928-8003



ZONING APPLICATION



ZONING CHAGE APPLICATION

Authority: The City of Fairhope is authorized under the Code of Alabama, 1975 to create, establish, and amend zoning districts throughout the corporate limits.

Public Notice: All zoning change applications are required by State Law to give notice in both the newspaper and to all real property owners with 300 feet of the proposed change. The cost of this notice is paid by the applicant. All notice charges are paid at the time of application submission.

Zoning change requests are a public hearing at both the Planning Commission and the City Council meetings. All interested persons will be given the opportunity to speak either pro or con for the proposal.

Planning Commission: The Planning Commission will conduct the required public hearing and has three (3) options: 1) recommend approval to the City Council; 2) recommend denial to the City Council; or 3) table the request for further study.

City Council: The City Council will conduct the required public hearing and consider the recommendation of the Planning Commission. The Council has four (4) options: 1) deny the request; 2) approve the request; 3) table the request for further study; or 4) return the request to the Planning Commission for re-consideration.

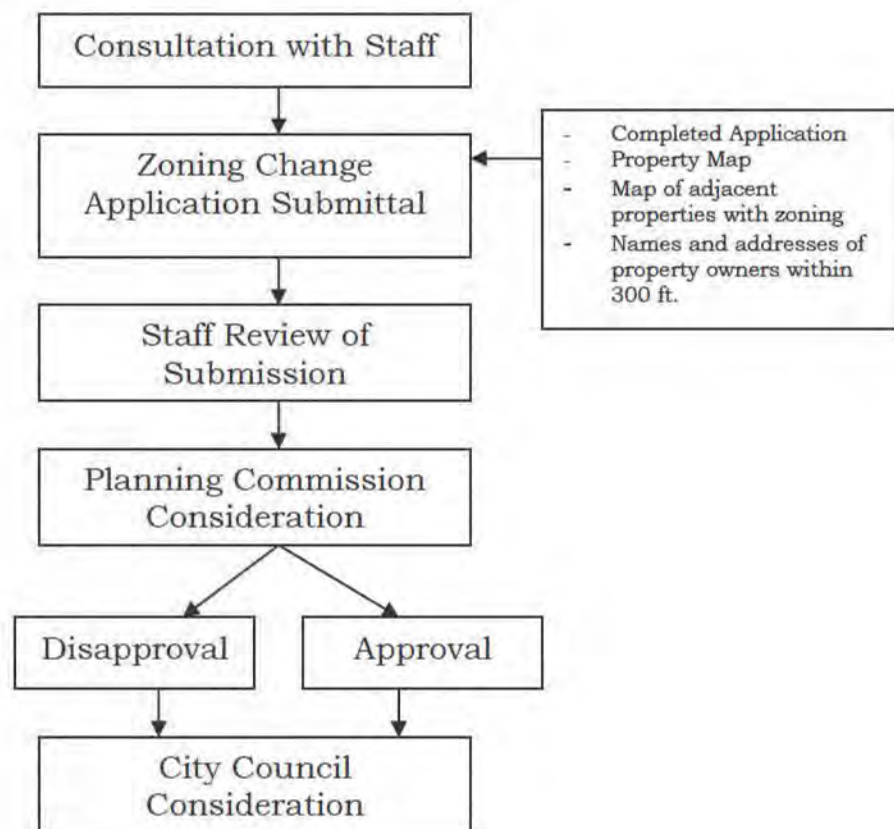
The City Council has final authority in determining if a zoning change request is approved.

Zoning Change Application Submission: The zoning change application must be complete. An application is not considered complete unless all required documents are provided at the time of submission. An incomplete application may not be accepted by staff.

Deadlines: The City of Fairhope wishes to expedite the zoning change process in the best and most effective manner possible. To that end, it is important that deadline times and dates are adhered to by the applicant.



ZONING CHANGE FLOW CHART





ORDINANCE NO. 1054

AN ORDINANCE AMENDING ORDINANCE NO. 557 KNOWN AS THE ZONING ORDINANCE TO REQUIRE THAT PUBLIC NOTICE SIGNS BE POSED ON PROPERTY BEING CONSIDERED FOR A ZONING CHANGE

- ❖ WHEREAS, The City of Fairhope, Alabama has recognized that the planning process is open to public participation and input, and
- ❖ WHEREAS, The City of Fairhope, Alabama realizes that planning decisions that impact the city should be publically known, and
- ❖ WHEREAS, The City of Fairhope, Alabama desires to maximize public knowledge and input into the planning process, and
- ❖ WHEREAS, The City of Fairhope, Alabama is dedicated to serve the citizens of the community by keeping them informed about potential change,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE ALABAMA, THAT:

1. The ordinance known as the Zoning Ordinance (No. 557) Section 8.61, amended by Ordinance 1025, is hereby amended to insert the following paragraph:

The applicant is also required to post on the property being considered for a zoning change a sign that gives public notice. This sign shall be posted adjacent to a publicly dedicated street. The sign shall be furnished by the City at the time of application. The sign shall be no later than 15 days before the Planning Commission meeting and shall remain posted until after final action by the City Council. The applicant shall remove the sign from the property and return it to the City within 2 days of final action by the City Council.

It is the sole responsibility of the applicant to post the sign in accordance with these regulations. Failure to post this sign may result in nullification of the zoning change decision and application.

2. Severability Clause
If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional or otherwise invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.
3. Effective Date
This ordinance shall be in full force upon its adoption and publication as provided by law.

Adopted this the 10th day of May 1999.
James P. Nix, Mayor
Geniece W. Johnson, City Clerk

Summary of Request:

Christopher Lieb is the authorized agent for the case. The owner, Gerald Haring, is deceased. Glenn Haring (son) is the executor of the estate. Authorized agent requests the subject property be rezoned from R-1, Low Density Single Family Residential District to B-4, Business and Professional District. The property is located at 7671 Parker Road and consists of two (2) parcels. Applicant desires to eventually utilize both parcels for professional office use. The more immediate plan is for Applicant to make the existing residential building into a professional office. The eastern parcel is adjacent to a Baldwin County RSF-2 parcel.

Article III, Section A(14):

14. *B-4 Business and Professional District:* This district is intended to provide opportunity for business establishments of a professional nature and is restricted to offices and businesses, which provide specific corporate functions or professional services to the general public.

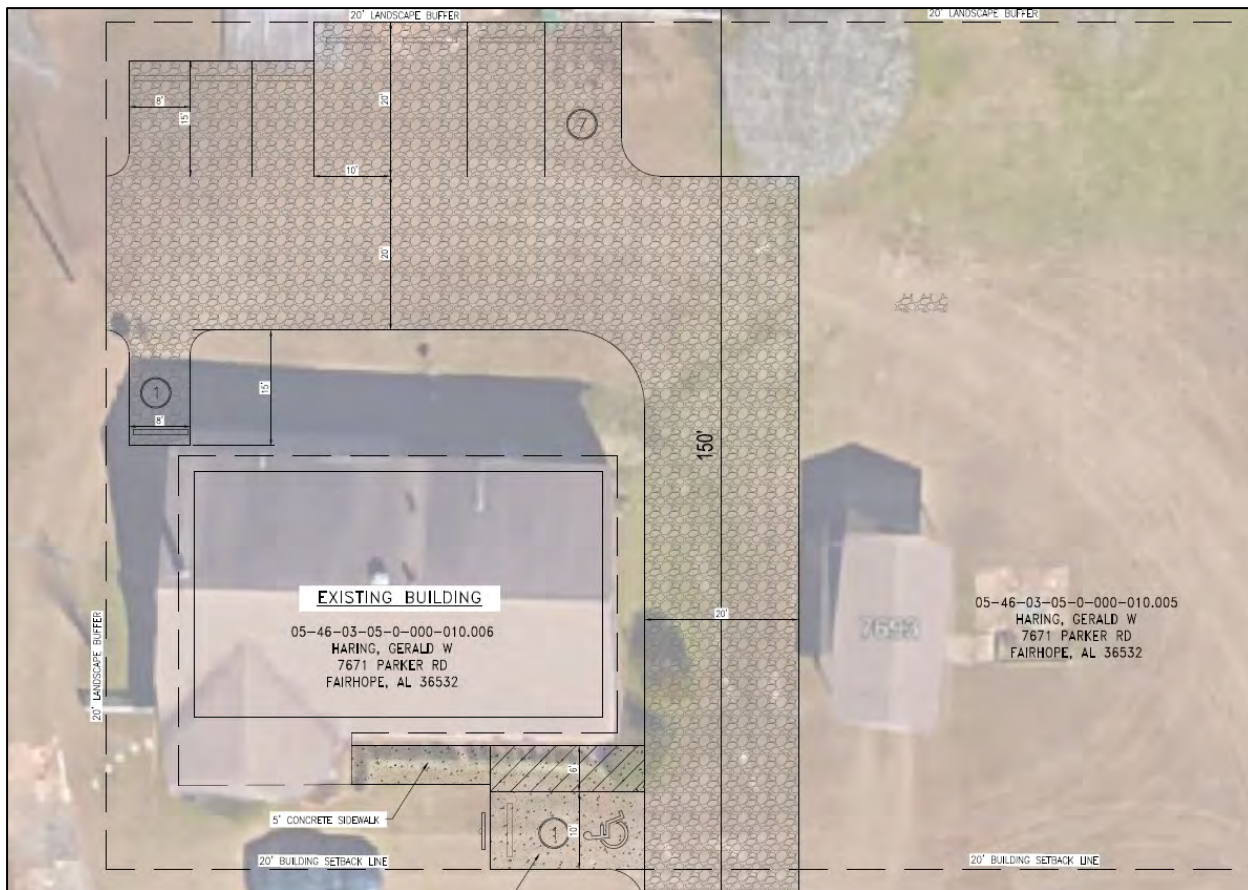
Figure 1: City Zoning



Figure 2: Subject parcels and adjacent Baldwin County zoned parcel.



Site Plan



Comments:

The subject property currently has a single-family home and some accessory structures. The subject property lies next to the city zoned Parkstone PUD (residential) to the west and north and Baldwin County residential to the east. West along Parker Road at the Hwy 98 intersection are also county zoned business districts. Directly across the street is the Fly Creek PUD, which has business and residential components; thus, B-4 zoning makes sense in this area.

There are incompatible uses adjacent to the subject property (Baldwin County RSF-2 and a residential PUD), so the Applicant has provided a 20 ft landscape buffer around $\frac{3}{4}$ of the property.

As with any request for a zoning map amendment, we must consider the initial desire, as well as how the property may be utilized in the future. Staff feels a professional office is appropriate for the neighborhood. However, conversion of the house into a "boarding house or dormitory" or "public utility," which are available uses in B-4, for example, would be a change in use and require appropriate reviews.

A Re-Zoning Request is considered a Zoning Map Amendment and the application is reviewed pursuant to the Criteria in Art. II, Section B(1)(e).

(1) Compliance with the Comprehensive Plan;

Response: The 2015 Comprehensive Plan identifies this area as North Village with office and residential components. Adjacent properties are zoned business by the County and the North Village aka Fly Creek PUD has both commercial and residential units.

(2) Compliance with the standards, goals, and intent of this ordinance;

Response: Meets. Some allowable uses are not ideal for this location and use changes will be vetted accordingly.

(3) The character of the surrounding property, including any pending development activity;

Response: Meets. The only development activity currently considered is parking. Required buffers and twenty (20) foot setbacks provide protection from adjacent residential property. Future changes in use should be carefully reviewed for impacts on the character of the surrounding property.

(4) Adequacy of public infrastructure to support the proposed development;

Response: Meets. Already an existing structure with utilities. If Applicant plans to add more units, then that may require additional demands on infrastructure.

(5) Impacts on natural resources, including existing conditions and ongoing post-development conditions;

Response: Meets. This zoning change will not negatively impact natural resources or current/future conditions. The Zoning Ordinance and Tree Ordinance already provide protections to adjacent residential property by way of setbacks and landscape buffers.

(5) Compliance with other laws and regulations of the City;

Response: Meets. Any future development is subject to all applicable laws of the City.

(6) Compliance with other applicable laws and regulations of other jurisdictions;

Response: Meets. Any future development is subject to all applicable laws.

(7) Impacts on adjacent property including noise, traffic, visible intrusions, potential physical impacts, and property values; and

Response: None anticipated. Parker Road is busy already with the Fly Creek PUD and the subject property being located closer to the intersection with Hwy 98 should not have negative impacts for the adjacent properties.

(8) Impacts on the surrounding neighborhood including noise, traffic, visible intrusions, potential physical impacts, and property values.

Response: Staff do not anticipate any significant issues relating to this criterion currently. However, changes in use should be considered carefully.

Uses allowed in B-4 from Table 3-1 of the Zoning Ordinance are summarized below.

Dwelling
Single-Family ('By-right')
Townhouse ('Permitted subject to special conditions listed in the ordinance')
Mixed-Use ('By-right')
Accessory Dwelling ('Permitted subject to special conditions listed in the ordinance')
Civic
Elementary School ('By-right')
Secondary School ('By-right')
Library ('By-right')
Public Utility ('By-right')
Hospital ('Permitted on Appeal and subject to special conditions')
Public Open Space ('By-right')
Common Open Space ('By-right')
Public Utility ('Permitted on Appeal and subject to special conditions')
Office
General ('By-right')
Professional ('By-right')
Home Occupation ('Permitted subject to special conditions listed in the ordinance')
Service
Convalescent or Nursing Home ('Permitted on Appeal and subject to special conditions')
Outdoor Recreation Facility ('Permitted on Appeal and subject to special conditions')
Day Care ('Permitted on Appeal and subject to special conditions')
Mortuary or Funeral Home ('Permitted on Appeal and subject to special conditions')
Personal Storage ('Permitted subject to special conditions listed in the ordinance')
Boarding House or Dormitory ('By-right')
Manufacturing
Limited ('Permitted subject to special conditions listed in the ordinance')

Recommendation:

Staff recommends **approval** of ZC 24.07, rezoning 7671 Parker Road from R-1 to B-4 with the following conditions:

- 1.) Regardless of the allowed uses in Table 3-1 of the Fairhope Zoning Ordinance, the following uses shall be prohibited on the subject property:
 - a. Elementary School
 - b. Secondary School
 - c. Library
 - d. Public Utility
 - e. Grocery
 - f. Convenience Store
 - g. Convalescent or Nursing Home
 - h. Outdoor Recreation Facility
 - i. Mortuary or Funeral Home
 - j. Personal Storage
 - k. Boarding House or Dormitory
 - l. Limited Manufacturing
- 2.) Rezoning request is for the use as Professional Office. Any change in use other than Professional Office shall meet all applicable laws and regulations at the time of application.

05-46-03-05-0-000-010.049
ZONED PUD (CITY OF FAIRHOPE)

05-46-03-05-0-000-009.001
ZONED RSF-2 (BALDWIN COUNTY)



0 10' 20'
SCALE: 1" = 10'

NOTES:
1. ALL PROPERTY LINES BASED OFF MEETS AND BOUNDS DESCRIPTION.

LEGEND

	ASPHALT PAVING
	GRAVEL PAVING
	CONCRETE



PARKER ROAD
ROW VARIES

NEED
NOT BE
BUILT

REVISIONS			
A	ISSUED FOR REVIEW	06/24/2024	

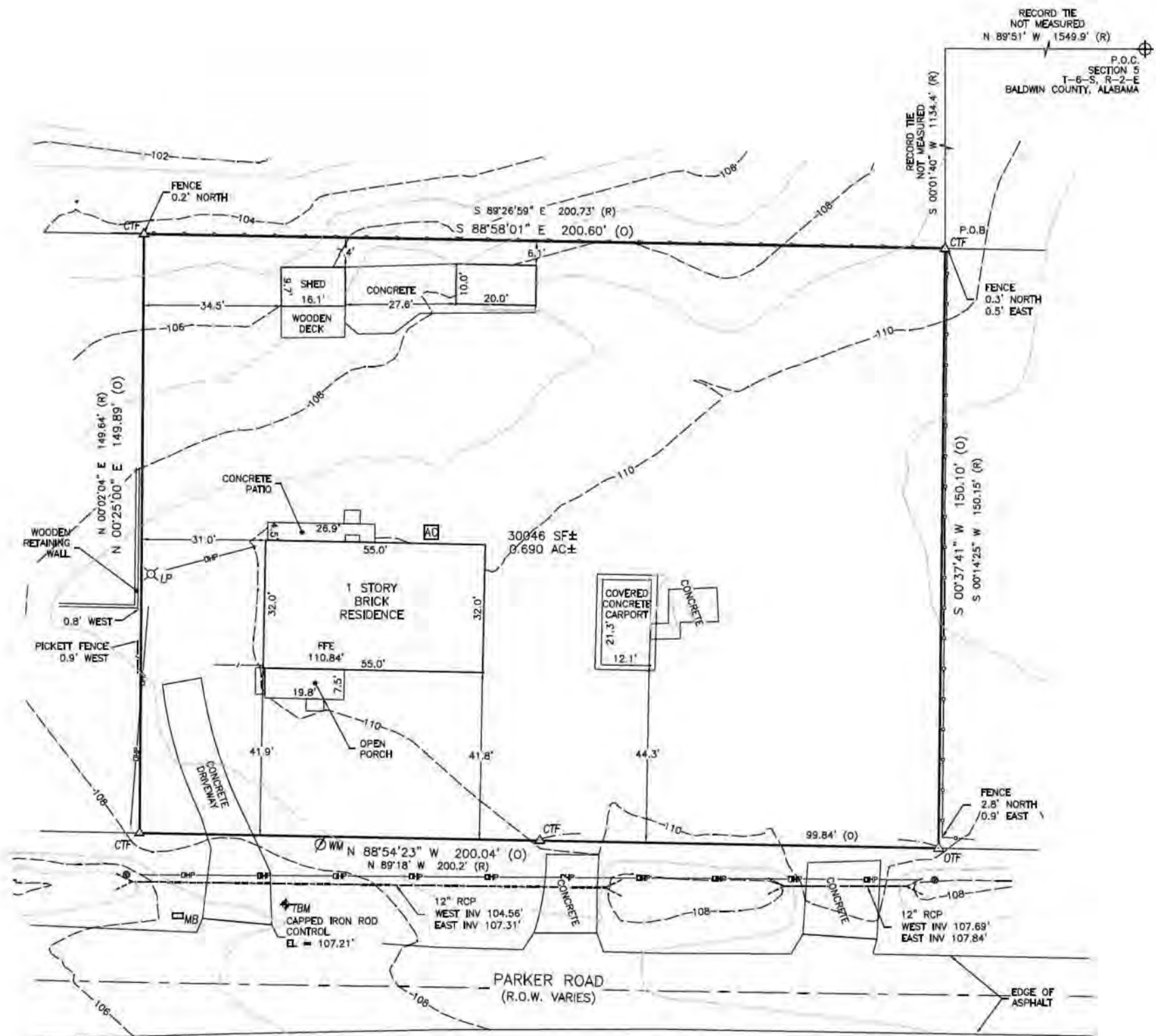


LIEB ENGINEERING COMPANY
1290 MAIN STREET, SUITE E
DAPHNE, AL 36526
PH: (251) 978-9779

NOT VALID WITHOUT THE DATED SIGNATURE AND SEAL OF AN ALABAMA LICENSED ENGINEER.
ALABAMA LICENSED ENGINEER: CHRISTOPHER JAY LEB, P.E. LICENSE NUMBER 31204
ALABAMA CERTIFICATE OF AUTHORIZATION NUMBER: 4938

JOB NUMBER	DRAWN BY: NTB	DATE: 06/24/2024	SCALE: 1"=10'
2024-000	CHECKED BY: C.J.L.	APPROVED BY: C.J.L.	ENGR: C.J.L.

7671 PARKER ROAD	
CONCEPTUAL SITE PLAN	
FAIRHOPE, AL	
OWNER: GERALD HARING	
SHEET NUMBER	EX1.0 A
1 OF 2	



- BOUNDARY LEGEND**
- △ CRF CAPPED IRON ROD FOUND
 - △ CTF CAPPED TOP PIPE FOUND
 - CMF CONCRETE MONUMENT FOUND
 - △ OTF OPEN TOP IRON PIPE FOUND
 - △ RBF REBAR IRON FOUND
 - △ IPF IRON PIN FOUND
 - CRS CAPPED IRON ROD SET
 - (R) RECORD
 - (O) OBSERVED
 - R.O.W. RIGHT OF WAY
 - P.O.C. POINT OF COMMENCEMENT
 - P.O.B. POINT OF BEGINNING
 - CHAIN LINK FENCE
 - x- WIRE FENCE
 - /- WOOD FENCE

- UTILITY LEGEND**
- ⊙ LIGHT POLE
 - ⊙ POWER POLE
 - ⊙ ELECTRICAL BOX
 - ⊙ AIR CONDITIONING CONDENSOR
 - OVERHEAD POWER
 - ⊙ SV SANITARY SEWER MANHOLE
 - ⊙ SV SANITARY SEWER VALVE
 - ⊙ S SURFACE LOCATE
 - ⊙ S SEWER MARKER
 - SANITARY SEWER PIPE
 - ⊙ GM GAS METER
 - ⊙ G SURFACE LOCATE
 - ⊙ G GAS MARKER
 - GAS MAIN
 - ⊙ WM WATER METER
 - ⊙ WV WATER VALVE
 - ⊙ FH FIRE HYDRANT
 - ⊙ ICV IRRIGATION CONTROL VALVE
 - ⊙ V SURFACE LOCATE
 - ⊙ V WATER MARKER
 - WATER PIPE
 - ⊙ TTP TELEPHONE PEDESTAL
 - ⊙ FV FIBER OPTIC VAULT
 - ⊙ S SURFACE LOCATE
 - ⊙ S FIBER OPTIC MARKER
 - FIBER OPTIC CABLE
 - ⊙ CI GRATE INLET
 - ⊙ S STORM MANHOLE
 - ⊙ S CURB INLET
 - STORM PIPE (CULVERT)
 - CMP-CORRUGATED METAL PIPE
 - RCP-REINFORCED CONCRETE PIPE
 - RCP-REINFORCED CONCRETE ARCH PIPE
 - CPP-CORRUGATED PLASTIC PIPE (HDPE)

BALDWIN COUNTY
ALABAMA

COMMENCING AT THE NORTHEAST CORNER OF SECTION 5, T-6-S, R-2-E, BALDWIN COUNTY, ALABAMA; THENCE RUN N89°51' W, 1,549.9 FEET TO A POINT; THENCE RUN S00°01'40" W, 1,134.4 FEET TO THE POINT OF BEGINNING; THENCE RUN S00°14'25" W, 150.15 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF PARKER ROAD; THENCE RUN N89°18' W, ALONG SAID NORTH RIGHT-OF-WAY LINE 200.2 FEET TO A POINT; THENCE RUN N00°02'04" E, 149.64 FEET TO A POINT; THENCE RUN S89°26'59" E, 200.73 FEET TO THE POINT OF BEGINNING.

I HEREBY CERTIFY THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

AL PLS #30007
2024.06.26
09:42:17-05'00'

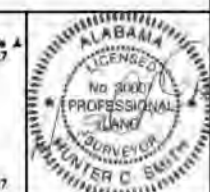
NOTES:

1. TYPE OF SURVEY: TOPOGRAPHIC
2. RECORD DIMENSIONS BASED ON WARRANTY DEED RECORDED IN REAL PROPERTY BOOK 792, PAGE 983 IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA. OBSERVED BEARINGS BASED ON ALABAMA STATE PLANE WEST USING ALDOT CORS NETWORK.
3. THIS DRAWING AND DESCRIPTION DOES NOT REFLECT ANY TITLE OR EASEMENT RESEARCH OTHER THAN WHAT IS VISIBLE OR PROVIDED BY THE CLIENT'S CONVEYANCE. SETBACK LINES ESTABLISHED BY STATUTE, ORDINANCE OR RESTRICTIVE COVENANTS ARE NOT SHOWN.
4. THIS DRAWING IS THE PROPERTY OF SMITH, CLARK & ASSOCIATES, INC. IT IS SOLELY FOR THE USE OF THE CLIENT NAMED HEREON AND IS NONTRANSFERABLE TO ANY OTHER PARTY. IT MAY NOT BE USED WITHOUT PRIOR CONSENT FROM SMITH, CLARK & ASSOCIATES, INC.
5. THIS DRAWING IS TO SCALE WHEN PRINTED ON 18X24 PAPER IN LANDSCAPE VIEW WITH NO SCALING.

DATE	6/24/24	SCALE	1"=20'	TITLE	LIEB ENGINEERING TOPOGRAPHIC SURVEY 7671 PARKER ROAD FAIRHOPE, AL
DRAWING NUMBER	24-348	FILE NO.	211/29		

Physical Address:
11111 U.S. Hwy 31 SW &
Spanish Fort, AL 36527
(251) 826-0404

MAILING ADDRESS:
30041 Mt. Lane
Suite G, Box 258
Spanish Fort, AL 36527



City of Fairhope Planning Commission

August 5, 2024



ZC 24.08 Zoning Amendments

The following is a proposed amendment to change and alter the City of Fairhope Zoning Ordinance. The City of Fairhope Planning Department may add or amend proposed language prior to the August 7 meeting. If language is altered a revised packet will be uploaded to the City of Fairhope website by August 4, 2023.

The Planning Commission will review the proposed language and take one of the following actions:

- (a) Recommend approval to the City Council;
- (b) Recommend approval to the City Council, conditioned on specific revisions;
- (c) Recommend denial to the City Council; or
- (d) Continue discussion of the proposed amendments for further study.

Any zoning amendment must be approved by the City Council. During the Planning Commission Hearing, as well as the City Council Hearing, all persons shall have an opportunity to be heard in opposition to or in favor of the proposed amendment. Comments may also be emailed to planning@fairhopeal.gov.

The following is a proposed amendment to the Central Business District section of the Zoning Ordinance (Article V, Section B) that would add parking requirements for certain land uses within the CBD.

B. CBD – Central Business District Overlay

1. **Intent** – The Central Business District overlay is intended to preserve downtown Fairhope as the “Regional Village Center” and focal point for the City. The CBD overlay shall provide an environment for shopping, restaurant and entertainment, cultural and artistic institutions, offices, governmental functions, and residential uses. The CBD is intended to have a unique character in the City and serve the entire community by:
 - generating high levels of pedestrian and bicycle traffic;
 - providing a mix of uses;
 - create a focal point for activities throughout the City;
 - link to adjacent areas and areas throughout the City through a variety of modes of transportation;
 - strengthen non-automobile connections to adjacent neighborhoods;
 - buffer surrounding neighborhoods from any adverse impacts of activities in the CBD; and
 - provide small parks and trails.
2. **Location and Size** – The CBD overlay includes: From the southeast corner of the intersection of Oak Avenue and N. Church Street run east along the south side of Oak Avenue to a point on the east side of N. Section Street; one parcel on the north side of Oak Avenue from N. Section to the east end of Oak Avenue; one parcel on the east side of N. Bancroft Street from the north side of Oak Avenue to a point on the south side of Pine Avenue and along the east property line one parcel east of N. Bancroft Street; thence run east along the north property line of one parcel to a point; thence run south along the east property line to the south side of Equality Street; the west side of N. School Street from Equality Street to the south side of Stimpson Avenue; the south side of Stimpson Avenue to the east end of Stimpson Avenue; south to a point on the south side of Fairhope Avenue that is one parcel west of Mershon Street; one parcel on the south side of Fairhope Avenue from one parcel west of Mershon Street to the west side of S. School Street; to a point one parcel south of Morphy Avenue on the west of S. School Street; south to the west end of the unopened portion of right-of-way of Fels Avenue; along the north side of Fels Avenue from the northwest corner of the intersection of Fels Avenue and Oswalt Street to a point at the northeast corner of Fels Avenue and S. Church Street; north one parcel to a point one parcel south of Morphy Avenue; west to a point two lots west of S. Church Street; north to the north side of Morphy Avenue west to the northeast corner of the intersection of Morphy Avenue and S. Summit Street; along the east side of Summit Street to the southeast corner of the intersection of N. Summit Street and Magnolia Avenue; along the south side of Magnolia Avenue to the southeast corner of the intersection of Magnolia Avenue and N. Church Street; along the east side of N. Church Street to the southeast corner of the intersection of N. Church Street and Oak Avenue.
3. **Uses** – All uses permitted in the underlying zoning district are allowed in the CBD Overlay, provided that uses of property shall meet the intent of the Comprehensive Plan and Section E.1 of this Article. Any future rezoning in the CBD overlay may be conditioned so that the goals and intent of the Comprehensive Plan and Article V., Section B.1. of the Zoning Ordinance are achieved.
 - a. Rooftop Terraces shall be an allowed Accessory Use permitted on all lots zoned B-2, General Business District located within the CBD. The following standards shall apply to all Rooftop Terraces:
 - (1) Except as provided below in this Section, the height of all structures on or within a Rooftop Terrace shall not exceed forty feet (40’).
 - (2) The outer boundary of a Rooftop Terrace shall be defined using a barrier meeting the City of Fairhope Building Code.
 - (3) For Rooftop Terraces located atop three story buildings the following standards apply:
 - a. For the purpose of the Zoning Ordinance and this Section, a Rooftop Terrace shall not be considered a story.
 - b. Elevators and stairwells, providing access to Rooftop Terrace, may be allowed to exceed forty feet (40’) by no more than five feet (5’) provided: such elevators and stairwells and their associated mechanical equipment and enclosed areas shall not cover more than 7.5% of the total square footage of the rooftop, shall not be viewable from sidewalks located in public rights-of-way that abut the building at the ground level, and shall be located a minimum of ten feet (10’) from any lot line.

- c. Structures, other than those used for elevators and stairwells, may be opened or enclosed, but shall not cover more than 25% of the total square footage of the rooftop and shall be located a minimum of ten feet (10') from any lot line.
 - (4) Temporary structures, such as tents, awnings, and umbrellas, may be allowed on Rooftop Terraces provided: (a) such structures shall be in use for less than 24 hours at a time, (b) such structures are secured via anchor points integrated into the building and can withstand winds up to 60mph, (c) and the anchor design shall be sealed by a structural Engineer. Any damage caused by these structures are the responsibility of the property owner who shall sign a hold harmless agreement at time of permitting.
 - b. Short-term rentals shall be allowed within the CBD, regardless of the underlying zoning district.
- 4. Dimension Standards** – All dimension standards for the underlying districts shall apply in the CBD overlay except as follows:
- a. Non-residential buildings in the CBD shall be built at the right-of-way line, unless a courtyard, plaza or other public open space is proposed.
 - b. No side-setback is required for non-residential buildings in the CBD, except that corner lots shall have the same building line on the side street as is on the front street.
 - c. Building heights for all structures shall not exceed 40 feet or 3 stories.
 - ~~d. **Parking**~~
 - ~~(1) No parking is required for non-residential uses in the CBD. If parking is provided, it shall be located behind the building, screened from public rights of way, and have a direct pedestrian connection to the primary building entrance of the public right of way.~~
 - ~~(2) Dwelling units in the CBD shall provide the required parking. It shall be located behind the building, screened from public rights of way, and have a direct pedestrian connection to the primary building entrance of the public right of way.~~
 - ~~(3) Residential and office is encouraged on the upper floors of buildings; lower floors are encouraged to be retail or restaurants.~~
 - de. Sidewalks shall be a minimum of eight feet (8') in width for all new construction. This may be reduced, through the site plan approval process, upon satisfactorily demonstrating to the City Council that streetscape improvements constrain the site to the extent that eight feet (8') is not feasible. In no case shall the sidewalk width be less than six feet (6') in width. A written request must be made with accompanying justification statement and drawings for consideration of reduction in sidewalk width.
 - ef. A minimum of fifty percent (50%) of the gross floor area on the ground floor of a mixed-use building in the CBD shall be dedicated to commercial uses. For the purposes of this calculation, gross floor area is defined as the total floor area contained on the ground floor within a building measured to the external face of external walls and shall include, but not be limited to, internal service areas, internal parking, internal stairwells, and internal common spaces. Retail and restaurants are encouraged on the ground floor adjacent to public streets.
- 5. Required Parking in the CBD**
- The following Table 5-1 is the parking schedule and represents the minimum required off-street parking spaces for specific land uses. These standards shall apply within the CBD. Any specific use or district condition in Article III of this ordinance shall apply along with the standards and conditions of this Section. Any area reserved for off-street parking in accordance with the requirements of this ordinance shall not be reduced in area or changed to any other use unless the permitted use, which it serves, is discontinued, or modified, or alternate and equivalent parking space is provided to the satisfaction of the board of adjustment.

Table 5-1 –Required Parking in the CBD

Land Use	Parking Required
<i>Residential:</i>	
Dwelling units	.75 spaces per bedroom (rounded up to nearest integer)
<i>Lodging:</i>	

Special Districts

Medical Overlay District

Hotels, Motels, Boarding Houses/Dormitory,	.75 space per guest bedroom (rounded up to nearest integer) plus 1 space per five employees
Bed and breakfast or tourist home	2 spaces per residential use plus .75 space per guest bedroom.
<i>Public Assembly:</i>	
Community Centers and Clubs	1 space for each 100 feet of building under roof.
Indoor Recreation, Outdoor Recreation , Entertainment Venues, Places for Worship and similar places of assembly	1 space for each 4 seats or each 200 square feet of assembly floor area, whichever is greater.
<i>Health Facilities:</i>	
Clinics	4 spaces for each 200 square feet of floor area used for offices and similar purposes.
Hospitals, Convalescent or Nursing Homes, and similar institutional uses	1 space for each 4 beds, plus 1 space for each 4 employees including nurses.
<i>Businesses:</i>	
Offices and Personal Services	1 space for each 400 square feet of floor area used for offices, conference rooms, and other similar purposes.
Restaurants and Bars	No required parking
Retail and General Merchandise	No required parking
Automobile Service Stations	A minimum of 2 off-street parking spaces is required with an additional off-street parking space for each lubrication or wash bay.

- a. Required parking spaces shall be located behind the building, screened from public rights-of-way, and have a direct pedestrian connection to the primary building entrance of the public right-of-way.
- b. Parking Dimensions and Size – Refer to Article IV, Section E for dimensional requirements.
- c. Parking spaces shall be located on the same lot as the Land Use that requires parking.
- d. Parking Credits - credit may be given to the requirements of Table 5-2 – Required Parking in the CBD, under the following conditions:
 - (1) On-street parking within 300 feet of any lot line may be credited to the parking requirement at a rate of one credit for every two on-street parking spaces.
 - (2) Bicycle parking facilities within reasonable proximity of the main entrance may be credited at a rate of one credit for every five-bicycle parking spaces, up to a maximum of 10% of the required vehicle parking.