



Bay Minette Planning Commission Regular Meeting Minutes

Minutes October 12, 2023

Monthly Meeting No. 10

The City of Bay Minette Planning Commission met in Regular Session on Thursday, October 12, 2023. The meeting was called to order at 8:01 a.m. by, Vice-Chairman Neal Covington in the absence of Chairman Stewart, in the Council Chambers located in Bay Minette City Hall, at 301 D'Olive Street, Bay Minette, Alabama; this being the proper place, date and hour as advertised to hold such meeting.

IN ATTENDANCE **At 8:01 a.m. the following members were present, and a quorum established:**

Robert A. "Bob" Wills, Mayor
Rob Madison, Building Official/Commission Member
Neal Covington, Vice Chairman
William Taylor, City Council/Commission Member
Ray Clark, Commission Member

Commission Members absent:

Todd Stewart, Chairman
Earl Emmons, Commission Member
Hiram Templeton, Commission Member

Commission Members late:

None

Other persons in regular attendance:

Clair Dorough, City Planner
Paula Bonner, Planner Associate
Jessica Peed, Planning Coordinator
Tammy Smith, City Administrator
Steven Stewart, Fire Inspector
Lauren Collinsworth, Attorney

GUESTS

Kathy Bryars, *(representing Case Z-23006 & Case SE-23002)*
Sanjay Patel, *(representing Case Z-23006 & Case SE-23002)*
Elliot Nicholson, *(adjacent resident for Z-23006)*
Tammy Mims, *(adjacent resident for Z-23006)*
Spencer Gauthier, *(representing Case SP-23008)*

INVOCATION Mayor Wills presented the invocation, followed by the pledge.

ITEM 3. **Announcements/Registration to address the Commission.**

ITEM 4. **Approval of the Minutes of the September 14, 2023, Regular Meeting.**

Mayor Wills made a motion to approve the September minutes as written. The motion was seconded by Commission Member Taylor and carried unanimously.

ITEM 5. **Disclosure of Prior Communications and/or Conflicts of Interest**

None

ITEM 6.

Old Business

Reminder of upcoming worksession on October 26, 2023, to continue the discussion of the Old Towne Commons PUD.

ITEM 7.

New Business

1.) SP-23008, Murphy Oil Site Plan Approval Request

Mrs. Dorough introduces the request and proposed plans including property location, surrounding properties, access points, comments received related to access and pedestrian concerns, and landscape coverage minimums not meeting Ordinance requirements. She details Murphy's existing agreement with Walmart that includes use, access, easement, and parking stipulations, which leads to a discussion regarding the Planning Commission's historical requirements for on-site parking compared to the current easement agreement and what is proposed. Mrs. Dorough continues reviewing the staff report including buffering, off-street parking, elevations and site development orientation to adjacent streets, elevations for the awning that appear to remain consistent, signage, lighting/photometrics plan, lack of ADA parking designations and crosswalk access, and truck routes for loading and unloading. She reviews the pre-application meeting conversation that was related to a traffic study request and states that staff's primary concern with the application is the truck access route. She shares information from her conversation with ALDOT, including their suggestion that the City can request the applicant widen the W 7th Street and Hwy 59/McMeans Avenue access points.

Mr. Gauthier states his appreciation for the Planning Commission's consideration for this project and notes the parking area striping and ADA requirements can be completed as the Walmart agreement allows. Mayor Wills inquires on access to which Mr. Gauthier states there wasn't a significant enough change in traffic volume to warrant a traffic study or reconfiguration since it is considered a minor site expansion.

With no further questions or comments, Commission Member Clark makes a motion that approval be contingent upon the submittal of plans compliant with the Zoning Ordinance's Landscape requirements and Off-Street Parking provisions, including ADA compliance, pedestrian crosswalks, off-street loading/unloading; and that the W 7th Street and Hwy 59/McMeans Avenue access points are widened subject to review and approval by ALDOT. Mayor Wills seconded and it is unanimously carried.

2.) Z-23006, Graham Property Rezoning Request *Public Hearing*****

Mayor Wills states he has previously represented Denny and Barbara Graham but does not have any affiliation with the current proposal. Mrs. Bonner reviews the staff report including property location, zoning, future land use designation and adjacent properties. She discusses the request in relation to the Comprehensive Plan and includes information about the on-site storage tanks, building permits, and the Staff recommendation.

With no questions from the Commission, Acting Chairman Covington opens the Public Hearing at 9:07am.

Elliott Nicholson states he is an adjacent property owner and inquires if the request will affect his residence, specifically if it would cause a relocation of his manufactured home. Mrs. Bonner explains that the rezoning request is only for the subject property and his residence will not be affected. She further explains the rezoning is being requested to allow a potential buyer to re-open the existing gas station and convenience store.

Kathy Bryars, representing the owner for Case Z-23006 & Case SE-23002, and Sanjay Patel, also representing both cases, are asked if they'd like to speak. Both decline, stating they signed up in case of questions from the Planning Commission and Mr. Patel states he is the future owner hoping to open the store. All other members of the audience decline to speak.

With no further questions or public participation, Acting Chairman Covington closes the public hearing at 9:09am.

Acting Chairman Covington inquires on the timeframe the structure has been vacant to which is explained the property has been vacant for years and has lost its nonconforming status. With no further questions or

comments, Commission Member Clark makes a motion to recommend approval of the rezoning to the City Council. Councilman Taylor seconds and the motion is unanimously carried.

Mrs. Dorough explains the remainder of the Rezoning process to the applicants prior to their departure of the meeting.

3.) SE-23002, Graham Property Special Exception Request

Mrs. Bonner reviews the proposal and states the subject property is adjacent to and has the same ownership as the previously reviewed subject property for Case #Z-23006. She includes property details, Zoning and Future Land Use maps, adjacent properties, request reasoning and details the Staff Analysis. Acting Chairman Covington inquires to Mrs. Bryars if the property owner intends to sell to Mr. Patel, to which Mrs. Bryars states that is the intention. After no further questions or comments, Mayor Wills makes a motion to recommend approval of the Special Exception request to the Board of Adjustment. Councilman Taylor seconds and the motion is unanimously carried.

ITEM 7.

4.) Updates & Upcoming Cases

Mrs. Dorough gives a brief update from prior cases and overview of upcoming cases:

- Updates the Commission on the previously reviewed Rezoning and Temporary Use Permit requests from Kevin Koestler related to the existing Manufactured Home Park and Temporary Work Force Housing in RVs.
- Church applications for both Eastwood Baptist Church (Exempt Subdivision) and Southside Baptist Church (Site Plan)
- Agreement with Goodwyn Mills Cawood to become the City's Engineer of Record
- Old Towne Commons Worksession scheduled for October 26, 2023
- Printed copy of the new Ordinances and possibly Bylaws to be distributed at the next meeting.

Commission Member Clark discusses his concerns from the previous worksession regarding Old Towne Commons. Mrs. Dorough and Mrs. Smith explain the reciprocal process of a PUD, the applicants' reasoning for lot dimensions, and the critical need for housing as proposed in this development. Mrs. Smith also includes information that the Board of Education is reviewing subdivisions as they arise within Baldwin County to better plan for the impact of population increases for the schools and feeder patterns. Mayor Wills expresses his appreciation for Mr. Clark's opinions and knowledge that he brings to the meetings, and reiterates the crucial need for more affordable, residential development for the City.

ITEM 8.

Reports

- a.) Mayor/Council/Administration – Mayor and Councilman Taylor state no report. City Administrator Tammy Smith states the paving project is underway throughout the town in different districts, and installation of new street signage related to the new Golf Cart Ordinance.
- b.) Attorney – None
- c.) Commissioner – None
- d.) Planning Staff – None
- e.) Public Comment – None

ITEM 9.

With no further business, Acting Chairman Covington adjourns the meeting at 9:50 am.

DONE THIS THE 12TH DAY OF OCTOBER 2023



Acting Chairman, Neal Covington

ATTEST:



Jessica Peed, Planning Coordinator


Clair Dorough, City Planner

Motion Summary:

- 1.) **Approval of the Minutes of the September 14, 2023, Regular meeting:** Mayor Wills made a motion to approve the September minutes as written. The motion was seconded by Commission Member Taylor and carried unanimously.
- 2.) **SP-23008, Murphy Oil Site Plan Approval Request:** Commission Member Clark makes a motion that approval be contingent upon the submittal of plans compliant with the Zoning Ordinance's Landscape requirements and Off-Street Parking provisions, including ADA compliance, pedestrian crosswalks, off-street loading/unloading; and that the W 7th Street and Hwy 59/McMeans Avenue access points are widened subject to review and approval by ALDOT. Mayor Wills seconded and it is unanimously carried.
- 3.) **Z-23006, Graham Property Rezoning Request:** Public Hearing opened at 9:07am and closed at 9:09am, with comments from adjacent resident Elliot Nicholson and future owner, Sanjay Patel. Commission Member Clark makes a motion to recommend approval of the rezoning to the City Council. Councilman Taylor seconds and the motion is unanimously carried.
- 4.) **SE-23002, Graham Property Special Exception Request:** Mayor Wills makes a motion to recommend approval of the Special Exception request to the Board of Adjustment. Councilman Taylor seconds and the motion is unanimously carried.