



Bay Minette Planning Commission Regular Meeting Minutes

Minutes September 14, 2023

Monthly Meeting No. 9

The City of Bay Minette Planning Commission met in Regular Session on Thursday, September 14, 2023. The meeting was called to order at 8:02 a.m. by Chairman, Todd 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 8:02 a.m. the following members were present, and a quorum established:

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

Commission Members absent:

Earl Emmons, 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
Kristina Pittman, North Baldwin Chamber of Commerce
Jason Padgett, NBU CEO
Steven Stewart, Fire Inspector
Lauren Collinsworth, Attorney

GUESTS

Chuck Stevens, *(representing Case V-23001)*
Greg Halliday, *(representing V-23001)*
Kevin Koestler, *(representing Z-23005 & TUP-23001)*
Bubba Reed, *(representing SP-23007)*
Chris Lieb, *(representing SP-23007)*

INVOCATION Chairman Stewart presented the invocation, followed by the pledge.

ITEM 3. Announcements/Registration to address the Commission.

ITEM 4. Approval of the Minutes of the August 10, 2023, Regular Meeting.
Councilman Taylor made a motion to approve the August minutes as written. The motion was seconded by Vice Chairman Covington and carried unanimously.

ITEM 5. Disclosure of Prior Communications and/or Conflicts of Interest
None

ITEM 6. Old Business

a.) **Bylaws**

September 21, 2023 Worksession – Old Towne Commons PUD and Design Criteria

Chairman Stewart states the previously scheduled worksession has been moved to September 21, 2023 due to a conflict. Mrs. Dorough states she has handouts from the previous meeting if anyone should need one.

ITEM 7. New Business

a.) **SP-23007, First Baptist Church Property Site Plan Approval Request**

Chairman Stewart introduces the request and includes that although he will not have any financial gain based on the decision the Commission makes regarding the request, he, along with Commission Member Templeton, are members of the church but pose no legal issues to vote, per legal. Mrs. Dorough reviews the proposal including the legally established zoning, surrounding properties and roads, existing building with current landscape, images of which portions of the site will be altered, submitted landscape plans, site calculations, off-street parking, ALDOT review and compliance, elevations, site specifications, comments and staff recommendation. Mrs. Collinsworth states on behalf of the law firm that they have not had any involvement in this project, as Scotty Lewis, City Attorney, was the applicant who submitted on the Church's behalf as an acting member of the Church. Mr. Reed discusses the intended plans, which is to increase the daycare attendees, and discusses campus monitoring and the potential issue with line of site within landscaping standards.

With no further questions or comments, Vice-Chairman Covington makes a motion to approve the request with staff recommendation including that prior to issuing a building permit, the applicant must submit revised plans detailing the complete and revised plans in printed and digital formats, existing and proposed site calculations complaint with the City Zoning Ordinance, and landscaping plans for the overall site including details for the required Greenbelt Zone, Off-Street parking areas, and required calculations.

b.) **Z-23005, Koestler Property Rezoning Request **Public Hearing***

Chairman Stewart introduces the request and states the applicant is in attendance. Mrs. Dorough reviews the staff report including the property zoning designations, site locations, surrounding properties and roads, current site layout with existing manufactured homes, zoning compliance if successful rezoning occurs, removal of manufactured homes versus current zoning restriction that disallows expansion and/or updating, recent nearby sites that received a rezoning, and the Temporary Workforce Housing case that immediately follows this review, as submitted by the same applicant, is contingent upon a successful rezoning.

With the applicant having no comments, Chairman Stewart opened the public hearing at 8:33am. With no public comment, Chairman Stewart closes the public hearing at 8:33am.

Mayor Wills inquires that the temporary workforce housing can not proceed without a successful rezoning and if all is successful in the requests, it will revert back to only a manufactured home park with the correct zoning, to which Mrs. Dorough states is correct. Steven Stewart inquires on the necessity of the smaller parcel also being rezoned.

After much discussion on the applicant's proposals in conjunction with the current zoning and potential issues regarding the Manufactured Home Park, the applicant officially withdrew his request to rezone the smaller parcel, PIN 219507.

With no further comments or questions, Commission Member Templeton makes a motion to recommend rezoning PIN 83581 from R-3, Higher Density Single Family Residential District to R-5, Manufactured Home Residential District to the City Council. Vice Chair Covington seconds and the motion is unanimously carried.

c.) TUP-23001, Koestler Property Temporary Use Permit Request

Chairman Stewart introduces the request and discusses that this is the first request to fall under the new Ordinance for a Temporary Use Permit request. Mrs. Dorough reviews the staff report including the site layout, changes/updates to the pedestals, parking spaces, asphalt roads, access points, manufactured home property connection to the office, compliance with Ordinance standards and staff recommendation.

With no comments or concerns, Commission Member Clark makes a motion to recommend approval to the City Council, with the contingency that the property receives a successful rezoning to the R-5, Manufactured Home Residential District. Commission Member Templeton seconds the motion and is unanimously carried.

d.) V-23001, Chuck Stevens Ford Sign Variance Request

Chairman Stewart introduces the request and states he has a conflict of interest and removes himself from the meeting, allowing Vice-Chairman Covington to become the Acting Chairman. Mrs. Bonner reviews the request including the site with the current construction, pictures of the existing sign, the Variance that was approved in 2002 with conditions that were not followed when constructed. Mr. Halliday and Mr. Stevens both stated they were unaware of the construction deviating from the approvals, and explains the current request was not considered prior to renovations and is due to not only to an aesthetics standpoint but also potential issues for vehicles driving through the parking lot. There is a discussion between the Commission regarding the violation procedures, and other possible options regarding signage location, refacing and costs. Mr. Halliday states if the City grants the Variance, he could potentially have the car on the pole removed, to which Mrs. Bonner responds that the City cannot grant a variance based on that proposal. Mr. Stevens comments he intends to work with Ford Motor Company on the sign to meet the conditions of the 2002 variance and plans to withdraw his current request prior to the Public Hearing for the Board of Adjustment. After no further comments or questions, Mayor Wills makes a motion to accept staff recommendation for recommending denial to the Board of Adjustment. Commission Member Clark seconds, and the motion is unanimously approved. Chairman Stewart's absence and abstention due to potential conflict is noted for the record. After the vote, Mr. Stevens discusses the addition of charging stations for electric vehicles at three of the local dealerships.

Chairman Stewart returns to the meeting at 9:38 am, resuming his position as Chairman.

ITEM 7.

e.) Updates & Upcoming Cases

Mrs. Dorough gives a brief overview of the Upcoming cases:

- Graham Property Rezoning for the gas station and convenience store
- Special Exception Request for the Graham property, adjacent to the gas station to be used as single family
- Murphy Oil demolition and plans for the Gas Station located in the parking lot of Walmart
- Pre-construction permits and Ordinance Updates- Includes current, related topics related to Briar Rose Subdivision and the 26-lot development and future development such as Old Towne Commons.
- Renaming of street to Rosemary Court in Briar Rose Subdivision
- CloudPermit Software- Includes City of Robertsdale utilizes this software and gives update on Council approval

Vice-Chairman Covington leaves the meeting at 9:42am.


- Fee Schedule update to include Ordinance updates/revisions and CloudPermit Software
- Discusses the SARPC Training Event that was held on September 13, 2023

ITEM 8. Reports

- a.) Mayor/Council Report – Compliments the Planning Staff and Planning Commission on professionalism and proficiency in making determinations
- b.) Attorney – None
- c.) Commissioner – None
- d.) Planning Staff – Mrs. Dorough states the Landscape Ordinance and Tree Protection Ordinance will most likely require review and updated amendments.
Mrs. Smith gives updates regarding the Justice Center and Soccer Complex construction and states Rob Madison is managing the Soccer Complex project. She also states she met with Sweet Brew and is currently awaiting a timeline and will give an update.
Mrs. Bonner states she appreciates the volunteer work from the Commission body, as it makes a difference with the community.
- e.) Public Comment – None

ITEM 9. With no further business, Chairman Stewart adjourns the meeting at 9:50 am.

DONE THIS THE 14TH DAY OF SEPTEMBER 2023



 Chairman, Todd Stewart
 *Acting Chairman, Vice-Chairman, Neal Covington

ATTEST:



 Jessica Peed, Planning Coordinator

Motion Summary:

- 1.) **Approval of the Minutes of the August 10, 2023, Regular meeting:** Councilman Taylor made a motion to approve the August minutes as written. The motion was seconded by Vice Chairman Covington and carried unanimously.
- 2.) **SP-23007, First Baptist Church Property Site Plan Approval Request:** Vice-Chairman Covington makes a motion to approve the request with staff recommendation including that prior to issuing a building permit, the applicant must submit revised plans detailing the complete and revised plans in printed and digital formats, existing and proposed site calculations compliant with the City Zoning Ordinance, and landscaping plans for the overall site including details for the required Greenbelt Zone, Off-Street parking areas, and required calculations.
- 3.) **Z-23005, Koestler Property Rezoning Request:** Chairman Stewart opened the public hearing at 8:33am. With no public comment, Chairman Stewart closes the public hearing at 8:33am. With no further comments or questions, Commission Member Templeton makes a motion to recommend rezoning PIN 83581 from R-3, Higher Density Single Family Residential District to R-5, Manufactured Home Residential District to the City Council. Vice Chair Covington seconds and the motion is unanimously carried.
- 4.) **TUP-23001, Koestler Property Temporary Use Permit Request:** Commission Member Clark makes a motion to recommend approval to the City Council, with the contingency that the property receives a successful rezoning to the R-5, Manufactured Home Residential District. Commission Member Templeton seconds the motion and is unanimously carried.

- 5.) **V-23001, Chuck Stevens Ford Sign Variance Request:** Mayor Wills makes a motion to accept staff recommendation for recommending denial to the Board of Adjustment. Commission Member Clark seconds, and the motion is unanimously approved. Chairman Stewart's absence and abstention due to potential conflict is noted for the record.