



Bay Minette Planning Commission Regular Meeting Minutes

Minutes June 13, 2024

Monthly Meeting No. 6

The City of Bay Minette Planning Commission met in Regular Session on Thursday, June 13, 2024. The meeting was called to order at 8:01 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 8:00 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
Earl Emmons, Commission Member
William Taylor, City Council/Commission Member
Hiram Templeton, Commission Member
Ray Clark, Commission Member

Commission Members absent:

Neal Covington, Vice-Chairman

Commission Members late:

None

Other persons in regular attendance:

Clair Dorough, City Planner
Paula Bonner, Planner Associate
Tammy Smith, City Administrator
Steven Stewart, Fire Inspector
Lauren Collinsworth, Attorney
Kristina Pittman, North Baldwin Chamber of Commerce

GUESTS

Elizabeth Byrd, Honeycut Creek Cottages PUD
Tyron Wallace, Abundant Life Christian Center, Inc. Site Plan
Paula Owen, Honeycut Creek Cottages PUD
Bonnie Brown, Magnolia Crossing Subdivision
Lawrence Morrow, Honeycut Creek Cottages PUD
Martha Ryan, The First Bank
Mike Nordan, The First Bank
Melissa Hadley, Honeycut Creek Cottages PUD
Wendy McEarchern, Gulf Regional Early Childhood Services, Inc.
Sarah McKay, Gulf Regional Early Childhood Services, Inc.
David Lindsey, Gulf Regional Early Childhood Services, Inc

INVOCATION Commission Member Templeton presented the invocation, followed by the pledge.

ITEM 3. Announcements/Registration to address the Commission.

ITEM 4. Approval of the Minutes of the May 9, 2024, Regular Meeting.

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

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

ITEM 6. Old Business

a.) SP-24001, Abundant Life Christian Center, Inc. Site Plan Approval Request to Construct a New Fellowship Hall

Mrs. Bonner reminded commission members that during the May 9, 2024, Planning Commission meeting this request for site plan approval to construct a new fellowship hall was tabled by a unanimous vote due to the number of conditions/missing requirements. The applicant has since submitted the missing information which has been reviewed by staff for compliance therefore Staff Recommendation for Case SP-24001, Abundant Life Christian Center, Inc. Site Plan Approval Request to construct a new Fellowship Hall be Approved with the following Conditions:

1. Any signage will require a sign permit prior to construction/installation to review compliance with the full sign ordinance.
2. A copy of the recorded plat for Abundant Life Christian Center, Inc. Minor Subdivision is submitted to the City of Bay Minette Planning & Development Department prior to any construction.

Commission Member Clark made a motion to approve the site plan approval request with conditions recommended by staff. The motion was seconded by Commission Member Templeton and carried unanimously.

ITEM 7. New Business

a.) CU-24002, Gulf Regional Early Childhood Services, Inc. Site Use Application

Mrs. Bonner presented the request for interior, exterior and aesthetic renovations with no building footprint increase to allow a change in use for a child daycare learning center. The proposed resurfacing, landscaping and parking proposed must meet zoning requirements including the Greenbelt Zone requirements as this parcel is located in that zone. The current access on South US Highway 31 is a principal arterial road regulated by ALDOT, requiring approval/permits from ALDOT.

Mrs. Bonner reported Staff Recommendation for Case CU-24002, Gulf Regional Early Childhood Services, Inc., Site Use Approval Request for a Child Daycare Learning Center be Approved with the Conditions listed below:

1. Prior to issuing a Building Permit, the applicant shall submit either written approval from ALDOT for the landscape island in the South US Highway right-of-way or submit a revised landscape plan which relocates that island within the subject property lines and meets Section 10.06.04.
2. Any signage will require a sign permit prior to construction/installation to review compliance with the full sign ordinance.

After staff's presentation, the Planning Commission began a discussion on the following items:

- The B-2, General Business District zoning of the property, which requires Planning Commission Approval for daycare use.
- Correspondence and requirements between the applicant and ALDOT regarding the South US Highway 31 access.
- The applicant's proposal for a landscape island in the right-of-way.

Mayor Wills made a motion to approve the site use request with the conditions recommended by staff. The motion was seconded by Commission Member Emmons and carried unanimously.

b.) SD-24007, Magnolia Crossing Minor Subdivision Request for Final Plat Approval

Mrs. Bonner presented the final plat approval request for a three (3) lot Minor Subdivision located at 109 Armstrong Avenue. The subject property consists of approximately 1.12± acres and is zoned R-2, Medium Density Single Family Residential District. Prior to the meeting, one public comment was received from Wanda Shiver of 220 Armstrong Avenue, who had received a certified letter. The subdivision process was explained to Ms. Shiver, and she had no objection.

Mrs. Bonner reported Staff Recommendation for Case SD-24007, Magnolia Crossing Minor Subdivision Final Approval Request be Approved with the following Conditions:

1. Submittal of documentation from all applicable utility companies detailing service availability.

After staff's presentation, the Planning Commission began a discussion on the following items:

- The location of the existing house and storage unit on proposed lot three (3) and setback requirements.
- The types of single-family dwellings the owners plan on building on the two (2) proposed vacant lots.

Chairman Stewart opened the Public Hearing for Case Item 7 (b.) SD-24007, Final Plat Approval Request at 8:22 a.m.

Public Comments:

- Fire Inspector Steven Stewart, property owner Bonnie Brown, and Chairman Stewart discussed a request from the Bay Minette Fire Department to install fences in the rear yards of properties adjacent to the Fire Department parcel, due to ongoing issues with pedestrians taking shortcuts through them.

Chairman Stewart closed the Public Hearing for Case Item 7 (b.) SD-24007 at 8:24 a.m.

Commission Member Templeton made a motion to approve the request for final plat approval with the conditions recommended by staff. The motion was seconded by Commission Taylor carried unanimously.

c.) Z-24002, Honeycut Creek Cottages PUD Rezoning **Reviewed concurrently with Item #7 (d)

d.) SD-24009, Honeycut Creek Cottages PUD Master Plan **Reviewed concurrently with Item #7 (c)

Mrs. Dorough explained the rezoning PUD request, Z-24002, is the first of two applications being submitted for concurrent consideration by the Planning Commission. The second application is for SD-24009, Master Plan approval of the development. She clarified that both Honeycut Creek cases would be presented concurrently, but the rezoning and subdivision case each required a separate public hearing. The subject property is located on the north side of W. 7th Street, approximately .25 miles west of North Dobson Avenue. She presented the rezoning request from R-2, Medium Density Single Family Residential District to a PUD, Planned Unit Development for the development of 181 residential lots on two parcels containing approximately 36± acres. In 2005 a previous owner's request to rezone this property from R-2, Single Family to R-4, Multi-family was denied. Mrs. Dorough reviewed the staff report, noting the incompatibilities with the Comprehensive Plan and lack of public infrastructure to support the development. Mrs. Dorough also noted the inconsistency with the Zoning Ordinance's PUD regulations that a proposed development must demonstrate a benefit to the City and surrounding area but with the transportation concerns, staff didn't feel that an adequate benefit had been shown to justify the impact it may have.

Staff summarized the Recommendation in the Staff Report that due to the incompatibilities with the Comprehensive Plan, existing conditions and volume of traffic on roadways that are near (or at

capacity), the benefit of approving the PUD at a density beyond that allowed by right does not offset the negative impact the development's intensity would create. Mrs. Dorrough reported that staff does not feel approval of this development is appropriate at this time and recommends:

The Planning Commission submit a recommendation of denial to the City Council for the PUD.

After staff's presentation, the Planning Commission began a discussion on the following items:

- Wetland delineation submitted by the applicant / Baldwin County Potential Wetland Map.
- Comprehensive plan projected future house needs / recent approval of 240 single family 40' lots.
- Traffic concerns – W 7th St. / Dobson Ave. / Red Hill Rd. / traffic study.
- Infrastructure impacts / costs.
- 40' Lot / 5' setback concerns.
- Drainage / storm water concerns.

On behalf of the developer, applicant Melissa Hadley with GMC, responded to staff's review and the Planning Commission's discussion points. She stated that the development would be compliant with recommendations from the City's Traffic Engineer and ALDOT, including participating in cost-sharing based on the development's percentage of impact. She further stated that the site was an appropriate location for the density, the design was laid out in a thoughtful manner, was located away from Old Towne Commons to the housing market may be different. Mrs. Hadley also included that the development was close to schools, activities and the city center and would be an opportunity for affordable housing options.

Chairman Stewart opened the Public Hearing for Case Item 7 (c.) Z-24002, PUD Rezoning Approval Request at 8:53 a.m.

Public Comments:

- Elizabeth Byrd on behalf of adjacent Quincey Compressors, N. Dobson Ave & W 7th St. – concerns on the development's impact on the future expansion of the existing manufacturing facility and traffic concerns with proposed high-density homes.
- Paula Owen, resident of Rider Ct. subdivision – traffic concerns, especially with Quincy traffic.
- Lawrence Morrow, resident of Rider Ct. subdivision – water flow and traffic concerns.
- Applicant Melissa Hadley, GMC – addressed drainage concerns, stating that the conceptual plan was designed with the existing topography/contours but that engineering and runoff would be more fully reviewed in the future design phases.

Chairman Stewart closed the Public Hearing for Case Item 7 (c.) Z-24002, PUD Rezoning Approval Request at 9:17 a.m.

The Planning Commission further discussed the development related to drainage and runoff from the surrounding area and Fire Inspector Steven Stewart stated the Fire Department's stance against the 5ft side setbacks. Legal Counsel reiterated the logistics of reviewing and approving the two separate cases and Chairman Stewart discussed the review criteria for making a decision, including appropriate locations and the difference in 140 lots by right or 180 lots by PUD approval. Mrs. Dorrough also stated budgetary concerns of the City along with the cost-sharing statement by the applicant. She also stated that the Master Plan subdivision request would be contingent upon a successful rezoning to PUD by the City Council.

Commission Member Templeton made a motion to Recommend Denial of Case Z-24002, the PUD rezoning due to non-compliance as detailed in the staff report items #1, 2, 3, 4, 8 and 9. The motion was seconded by Commission Member Emmons and the motion was carried unanimously.

Chairman Stewart opened the Public Hearing for Case Item 7 (d.) SD-24009, PUD Master Plan Approval Request at 9:33 a.m.

There were no public comments during this public hearing.

Chairman Stewart closed the Public Hearing for Case Item 7 (d.) SD-24009, PUD Master Plan Approval Request at 9:33 a.m.

The timeline limitations / submittal restrictions for rezoning and subdivision applications that are acted upon were explained to the applicant.

Commission Member Templeton made a motion to Deny the Case SD-24009, PUD Master Plan due to non-compliance as detailed in the staff review items #1, 2, 3, 4, 8 and 9. The motion was seconded by Commission Member Clark and the motion was carried unanimously.

e.) RA-24001, Minor Amendments to Subdivision Regulations

Mrs. Dorrough presented the proposed minor amendments to the current Subdivision Regulations which will include some reorganization in the definition section, and the correction of some of the numbering. She explained the primary reason for the amendment is for Section 3.17.03.01 relating to Exempt Subdivisions regarding a clarification to the reconfiguration of common lot lines. The proposal changes the wording from "*All exempt subdivisions shall consist of three (3) or less lots*" to "*The final configuration of all exempt subdivisions shall consist of three (3) or less lots*".

After staff's presentation, the Planning Commission began a discussion on the following items:

- Possible modifications to regulations.
- Regulations for 40' residential lots.
- 5' side yard setbacks.
- Appropriate locations for high density residential lots.

Chairman Stewart opened the Public Hearing for Case Item 7 (e.) RA-24001, Minor Amendments to Subdivision Regulations at 9:50 a.m.

There were no public comments during this public hearing.

Chairman Stewart closed the Public Hearing for Case Item 7 (e.) RA-24001, Minor Amendments to Subdivision Regulations at 9:51 a.m.

Mayor Wills made a motion to approve the proposed minor amendments to the Subdivision Regulations. The motion was seconded by Commission Member Clark and the motion was carried unanimously.

f.) Updates & Upcoming Cases

- Pre-Application meeting in April for Site Plan Approval for the addition of two (2) new storage units on D'Olive Street.
- Volkert is updating the Comprehensive Plan and will hold two Public Meetings on June 25, 2024, for public input.
- City of Bay Minette Comprehensive Plan Survey

ITEM 8.

Reports

- a.) Mayor/Council Report – Councilman Taylor reported on upcoming Juneteenth Celebrations.
- b.) Attorney - None
- c.) Commissioner – None
- d.) Planning Staff – None
- e.) Public Comment – Mrs. Pittman reported on past and upcoming local Chamber events. The Mayor thanked the Chamber staff for their efforts.

ITEM 9. With no further business, Chairman Stewart adjourned the meeting at 9:59 am.

DONE THIS THE 13TH DAY OF JUNE 2024


Chairman, Todd Stewart

ATTEST:


Paula Bonner, Planner Associate

Motion Summary:

Item 4.) Approval of the May 9, 2024, Regular Meeting Minutes:

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

Item 6.) a.) SP-24001 Abundant Life Christian Center, Inc. Site Plan Application:

Commission Member Clark made a motion to approve the site plan approval request with conditions recommended by staff. The motion was seconded by Commission Member Templeton and carried unanimously.

Item 7.) a.) CU-24002, Gulf Regional Early Childhood Services, Inc. Site Use Application:

Mayor Wills made a motion to approve the site use request with the conditions recommended by staff. The motion was seconded by Commission Member Emmons and carried unanimously.

Item 7.) b.) SD-24007, Magnolia Crossing Minor Subdivision Final Plat:

Commission Member Templeton made a motion to approve the request for final plat approval with the conditions recommended by staff. The motion was seconded by Commission Taylor carried unanimously.

Item 7.) c.) Z-24002, Honeycut Creek Cottages PUD Rezoning Request:

Commission Member Templeton made a motion to Deny the Case SD-24009, PUD Master Plan due to non-compliance as detailed in the staff review items #1, 2, 3, 4, 8 and 9. The motion was seconded by Commission Member Clark and the motion was carried unanimously.

Item 7.) d.) SD-24009, Honeycut Creek Cottages PUD Master Plan:

Commission Member Templeton made a motion to Deny the Case SD-24009, PUD Master Plan due to non-compliance as detailed in the staff review items #1, 2, 3, 4, 8 and 9. The motion was seconded by Commission Member Clark and the motion was carried unanimously.

Item 7.) e.) RA-24001, Minor Amendments to Subdivision Regulations:

Mayor Wills made a motion to approve the proposed minor amendments to the Subdivision Regulations. The motion was seconded by Commission Member Clark and the motion was carried unanimously.