

CITY OF BAY MINETTE
PLANNING COMMISSION

AGENDA

July 9, 2020

Regular Meeting

8:00 a.m.

City Hall Council Chambers
301 Olive Street, Bay Minette

- 1.) Call to Order
- 2.) Invocation and Pledge
- 3.) Approval of Minutes for the June 11, 2020 Regular Meeting
- 4.) **Old Business**
 - **Discussion - Proposed Zoning Ordinance Amendments**
 - a.) Section 7.12 – Utilities // Irrigation Wells
 - b.) Section 8.7.2 – Home Occupations
 - c.) Section 9.8 – Mobile Vending Units
- 5.) **New Business**
 - **SP-2002 – Blue Ash Holdings Site Plan Approval**
 - Request:* Site Plan Approval for mini-storage unit facility
 - Location:* The subject property is located at 601 Railroad Street
- 6.) **Reports**
 - a.) Mayor/Council
 - b.) Attorney
 - c.) Commissioner's Comments
 - d.) Planning Staff
- 7.) **Adjournment**

Bay Minette Planning Commission Regular Meeting Minutes

Minutes June 11, 2020

Monthly Meeting No. 6

The Bay Minette Planning Commission met in Regular Session on Thursday, June 11, 2020. The meeting was called to order at 8:05 a.m., by Chairman, Todd Stewart, in the Conference Room located in Bay Minette City Hall, in Bay Minette, Alabama; this being the proper place, date and hour as advertised to hold such meeting.

IN ATTENDANCE At 8:05 a.m. the following members were present:

Todd Stewart, Chairman
Robert A. "Bob" Wills, Mayor
Neal Covington, Commission Member
John Biggs, Council Member
Pat Robinson, Building Official

Commission Members absent:

Scotty Langham, Commission Member
Jessica Davis, Commission Member

Commission Member(s) late:

Wynter Crook, Commission Member

Other persons in regular attendance:

Scotty Lewis, Attorney
Tammy Smith, City Administrator/Finance Director
Clair Dorough, City Planner
Leslie Johnston, SARPC
Jessica Peed, Planning Assistant
Steven Stewart, Fire Inspector
Jason Padgett, North Baldwin Utilities CEO

GUESTS

Andy Rotenstreich
Ashley Jones Davis
Ron Ballard
Cameron Lewis

INVOCATION

Councilman Biggs gave the invocation, followed by the pledge.

ITEM 3. Approval of Minutes of the March 12, 2020 meeting. Mayor Wills made a motion to approve the minutes as written. The motion was seconded by Commission Member Covington and it was unanimously carried.

Wynter Crook joined the Planning Commission meeting at 8:06am.

ITEM 4. Confirm and ratify the cancellation of the April 16th and May 14th Regular Meetings due to COVID-19

Chairman Stewart introduced the necessity to formally act on the cancellation of the April 2020 and May 2020 Regular Meetings due to COVID-19. Commission Member Covington made the motion to ratify the cancellation of the April 16, 2020 and May 14, 2020 Regular Meetings due to COVID-19. Councilman Biggs seconded, and was unanimously carried.

Chairman Stewart rearranged the order of the agenda so the visitors would be able to leave after their topic of concern is discussed, making New Business to be discussed prior to Old Business.

ITEM 5. New Business:

a) Election of Vice-Chair

Chairman Stewart stated the previous Vice-Chairman, Ed Pepperman, retired from his position on the Planning Commission; therefore, the position of Vice-Chairman is now available, and action is needed to officially elect a replacement. Mayor Wills nominated Neal Covington. No other nominations were made. Chairman Stewart opened the vote to elect Neal Covington as the Vice-Chairman at 8:11am. None opposed, and the motion was carried.

b) AS-2007- Switzer Family Exempt Subdivision

Request: Proposed Family exempt subdivision to divide a 1.86-acre lot from a 32.46-acre lot

Location: The subject property is located on Pine Grove Road Ext South

Chairman Stewart introduced the Switzer Family Exempt Subdivision and asked if there were any representatives present. Mrs. Dorough said no one is presently attending the meeting. Mayor Wills confirmed the property location. Mrs. Dorough explains the request is to be split for the sister, and no zoning requirements need to be met. Chairman Stewart asked the Planning Commission if there were any comments or questions, and there were none. Vice-Chairman Covington made motion to accept staff

recommendation to authorize the Chairman to sign the plat. Councilman Biggs seconded, and motion was unanimously carried.

c.) AS-2008 Ballard Family Exempt Subdivision

Request: Proposed family exempt subdivision to divide a 2-acre lot from a 5-acre lot

Location: The subject property is located at 16311 Old Brady Road

Chairman Stewart asked if anyone at the meeting was in attendance to represent the applicant. Ron Ballard stated he was in attendance. Mrs. Dorough introduced the Ballard Family Subdivision request, stating that the property is located within our ETJ. She also stated the applicant initially submitted the request to the County for review. Chairman Stewart stated the 5-acre lot would be subdivided into a 2-acre lot and a 3-acre lot. Chairman Stewart asked if Mr. Ballard had any comments. Mr. Ballard stated he had none. Mayor Wills asked Mr. Ballard about the location, and Mr. Ballard verified. Chairman Stewart stated the two options for Planning Commission were to either approve or deny the request. Mayor Wills made a motion to authorize the Chairman to sign the plat. Commission Member Covington seconded the motion, and it was unanimously carried. Mrs. Dorough had Chairman Stewart sign the plat and gave the original signed plat to Ron Ballard.

d.) SE-2001 – AT&T Special Exception

Request: Special Exception for the construction of a new wireless telecommunications facility

Location: The subject property is located on Newport Parkway

Chairman Stewart introduced ATT's request to construct a new wireless telecommunications tower on Newport Parkway. He stated there would be two discussions and actions related to the request in the forms of a recommendation to the Board of Adjustment, and the Site Plan review decision. Chairman Stewart states this request is considered a Special Exception, which would go before the Board of Adjustment with a recommendation from the Planning Commission. He also stated the request is represented by attorney, Andy Rotenstreich. Mrs. Dorough gives an overview stating the lease with the property owner has been signed which includes the two parcels and the construction of a cell tower. Mrs. Dorough also states the proposal is to have a 180 ft. tower with an additional 10 ft. lightening rod. She also stated the tower will be accessed from the east side of the property and Manor Drive will not be affected.

Mayor Wills verifies the location, as there is no current address. Mrs. Dorough stated ATT received approval in 2014, but the option expired for the company, so it was never built but since that time the property has changed minimally. Chairman Stewart made a note that the ordinance pertaining to Cell Towers allows for communication towers to be 180 feet and this application states 180 feet plus a 10-foot lightning rod. However the ordinance says the height includes antennas but does not state lightening rods, leaving the lightening rod outside of the scope of max height. Mr. Rotenstreich confirmed the height of the tower. Chairman Stewart brought up that plans stated "Subject to Structural Review" and questioned whether the monopole-type tower would potentially change to a tripod or other type. Mr. Rotenstreich confirmed the tower would be a monopole. Mayor Wills states part of the tower will extend onto another property. Mrs. Dorough explains the lease covers both parcels the tower will be constructed on, and it is a five-year lease with options to renew, but the lease specifically covers the construction of the tower. Mrs. Dorough also states there are no structures crossing property lines except for the fence acting as a buffer. Mayor Wills inquires the size of the southern parcel, and if there was a reconfiguration of lot line then there would not be a potential future issue. Scotty Lewis stated that would be an easy fix as Mrs. Dorough can approve that in house. Chairman Stewart stated the Site Plan Approval request will be discussed after the Special Exception request. Chairman Stewart inquires if the tower will be used by ATT only. Mr. Rotenstreich states the tower will be built to accommodate other communication services, but ATT will be the anchor tenant. Mayor Wills inquired on the impact of the tower, to which Mr. Rotenstreich replies this tower will allow broadband wireless ATT coverage to the city which starts at 4G. He also states since ATT won the bid with the Federal Government, this will be a First Net Site, which is especially important to ATT in cases regarding emergency response time. Mrs. Dorough brought up the corrected version of the plans state the fence will be an 8 ft. fence, which meets the minimum requirements. Mr. Covington inquires about the tower setbacks to which Mr. Rotenstreich replies the project will follow the M-2, General Industrial District setbacks as stated in the Ordinance. Mr. Covington makes a motion to recommend approval to the Board of Adjustments for the 180 ft. telecommunications "monopole" plans as submitted by the applicant. Councilman Biggs seconded the motion and was unanimously carried.

Mrs. Dorough states the Board of Adjustments public hearing will be held at least 15 days after the Planning Commission meeting to meet public notice requirements, and the location will be at City Hall.

e.) Site Plan Approval Related to SE-2001- AT&T Special Exception

Request: Site Plan Approval for the construction of a new wireless telecommunications facility

Location: The subject property is located on Newport Parkway

Chairman Stewart introduced the request for Site Plan approval for the AT&T tower. Mrs. Dorough stated she pulled the required documents that would need to be reviewed from the full application packet provided by AT&T. Chairman Stewart asked the Planning Commission to review the Site Plan, and any action would be dependent upon the Board of Adjustment decision. Mr. Rotenstreich stated he will change the plans to reflect the 180-foot tower plus lightening rod and have the tower defined as a monopole. Chairman Stewart inquired on any fence screening and if there would be a generator on site, to which Mr. Rotenstreich stated the generator would most likely be diesel. Jason Padgett interjected North Baldwin Utilities can accommodate natural gas, if desired. Mrs. Dorough states the landscape and fence setbacks met minimum requirements, and the signage is safety signage. There was a discussion between Chairman Stewart and Mr. Rotenstreich regarding the landscape that faced Newport, and the issue with the leasing area and fence access. Mr. Rotenstreich stated he would discuss the options to extend the landscape on the north side with the project developer and would make any accommodations to the extent possible without compromising fence access or the lease agreement. Chairman Stewart stated the motion would need include the approval of the wireless telecommunications tower contingent upon the Special Exception approval with the Board of Adjustment, the adjustment of the plans to reflect the pole would be a 180 ft. monopole, and the landscaping as discussed to the extent possible. Mayor Wills made a motion to approve the site plan with the 3 conditions Chairman Stewart stated. Councilman Biggs seconded and it was unanimously carried.

ITEM 5.

Old Business:

Discussion – Proposed Zoning Ordinance Amendments

a.) Section 7.12.2.1 – Private wells and septic systems *** Proposed Revision*

Chairman Stewart states the most current version of the Ordinance book was located under their agendas and Planning Commission members should begin referring to this Ordinance book. Mrs. Dorough states there was a recent request for an irrigation well within city limits, and the current ordinance does not allow them and that North Baldwin Utilities had no issues with allowing wells. Mrs. Dorough stated the ordinance needed to include irrigation vs. private wells, and if the well would be placed on the lot with house reviewed as accessory structure vs. the setbacks of a well placed on a lot by itself. Mayor

Wills inquired as to the current setbacks for accessory structure, to which Mrs. Dorough replied was 5 ft. Jason Padgett stated there are existing wells within the city, and the only potential issue is if the well were to be tied to sewer. Mrs. Dorough and Jason discuss the possibility of adding a line item to the Land Use Certificate to state where the well will be located so Mr. Padgett would have more knowledge of the water needs in Bay Minette. There was more discussion on the requirements of wells for state data. Mrs. Johnston stated possibly adding an amendment to the Table of Permitted Uses that a well could be allowed as a principal use. After much discussion on the current regulations which state all citizens must connect to public sewage vs. the citizens choice of which water they would like to drink, it was decided to add the definitions provided to the Ordinance, and this would help to resolve any issues. Mrs. Dorough stated no action would be taken at this time, but there would be a public hearing with appropriate notice.

b.) Section 8.7.2 - Home Occupations *** Proposed Revision*

Mrs. Dorough stated this topic warranted a discussion due to the significant increase from the COVID-19 pandemic. According to the Table of Permitted Uses, any persons trying to obtain a license to work from home will need site plan approval and will currently need to pay the \$300 application fee. Mrs. Dorough stated she doesn't want to deter anyone, and not all home occupations are at the same intensity level. Chairman Stewart explains the difference between home occupation vs. home based businesses, and that the intensity of parking, noise, etc. will be the primary issues. More discussion ensued on how to review each case/request, who would have the authority to approve less intense cases, and which cases would need to go before the Planning Commission or Board of Adjustments.

c.) Section 9.8 Mobile Vending Units *** Proposed Revision*

Mrs. Dorough introduced the topic of food trucks and stated there are currently no guidelines available to review them. Ashley Jones Davis explained the Chamber's dealings with food trucks specifically detailing Chic Fil-A, Bitty's Grill, and It's All Greek to Me food trucks. There was much discussion on requiring property owner permission, where to park, quantity of allowed applications, how to review, etc. Chairman Stewart asked that these topics are on the agenda for the upcoming Planning Commission meeting.

ITEM 6.

Reports:

A. Mayor/Council Report

- None

B. Attorney

- None

C. Commissioner

- None

D. Planning Staff

- None

ITEM 8. With no further business Chairman Stewart adjourned the meeting at 9:54 am.

DONE THIS THE 11TH DAY of JUNE 2020

Todd Stewart, Chairman

ATTEST:

Jessica Peed, Planning Assistant

City Of Bay Minette

Current Home Occupation Regulations

Definition

Home Occupation. Any occupation for gain or support customarily conducted entirely within a dwelling and carried on solely by the inhabitant thereof, and which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes, and does not change the character thereof.

Table of Permitted Uses and Conditions	R-A	R-1	R-2	R-3	R-4	R-5	B-1	B-2	M-1	M-2
Home Occupation	P	P	P	P	P	P	P	P		

8.7.2 Home Occupations

Home occupations are permitted in all districts where residences are permitted, if licensed by the City and conforming to the conditions of this section and any applicable laws or ordinances. Home occupations shall be clearly incidental to the residential use of the dwelling and shall not change the essential residential character of the dwelling or adversely affect the uses permitted in the district of which it is a part. No home occupation shall be permitted which might interfere with the general welfare of the surrounding residential area due to potential noise, increased pedestrian and vehicular traffic or any other condition which would constitute an objectionable use of residentially zoned property.

8.7.2.1 Limitations on Type of Home Occupation are as follows:

- a. Area used for a home occupation shall not exceed twenty percent (20%) of the gross floor area in the principal building.
- b. The home occupation shall be confined entirely to the principal building.
- c. Chemical, mechanical or electrical equipment that creates air emissions, odors, light, glare or noises that are detectable outside of the dwelling shall be prohibited.
- d. No display of products shall be visible from the street and only articles made on the premises may be sold; except that non-durable articles (consumable products) that are incidental to a service, which service shall be the principal use in the home occupation, may be sold on the premises.
- e. Instruction in music, dancing, and similar subjects shall be limited to six (6) students at a time.
- f. The activity carried on as a home occupation shall be limited to the hours between 7:00 a.m. and 10:00 p.m.
- g. Customary home occupations shall not include the following:
 1. Uses which do not meet the provision listed above.
 2. Automobile and/or body and fender repairing.
 3. Food handling on a large-scale basis, processing or packing.
 4. Repair, manufacturing and processing uses; however, this shall not exclude the home occupation of a dressmaker where goods are not manufactured for stock, sale, or distribution.
 5. Restaurants.
- h. No outdoor or indoor window signs of any kind are permitted for a home occupation.

Definition Examples

Home Occupation

1. Any occupation for gain or support customarily conducted entirely within a residential dwelling unit and carried on solely by the inhabitant thereof, and which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes, and does not change the character thereof.
2. A business conducted within a residence and complying with provisions of §11-5 Home Occupations.
3. Any business occupation conducted in a residential dwelling unit.
4. A commercial use accessory to a residential use
5. A home occupation is a minimal-intensity business activity that is incidental to the residential use of a property, generally conducted within a dwelling by resident occupants.
6. A routine accessory and customary non-residential use conducted within or administered from a portion of a dwelling or its permitted accessory building
7. An occupation commonly carried on within a residential dwelling by members of the family occupying the dwelling, secondary to the residential use, and subject to the requirements of this title.
8. Gainful occupation or profession conducted by members of a family residing on the premises, and operated entirely within the principal dwelling unit and in such a manner that there will be no external manifestation of the operation of the business outside of the dwelling unit

Home Occupation Related Definition

Family (Home Occupation): For purposes of home occupations, family is defined as only those persons related by blood, marriage or adoption and using common cooking facilities within a single dwelling unit.

Considerations for Home Occupation Regulations

- Signage/Display of Goods
- Customers – traffic, parking, the number of customers allowed at the same time
- Type of Occupations Permitted
- Area Occupied
- Equipment Used
- Employment
- Accessory Buildings
- Sale of Goods
- Mechanism of Permitting

Category of Home Occupation Examples

- Home Occupation vs Home Based Business
- Home Occupation – Light vs Home Occupation - General
 - Home Occupation (Light): A Home Occupation can be carried on by one or more members of a family residing on the premises. A maximum of 25 percent of the total floor area of the

home may be used in a home occupation. Additionally a home occupation is generally considered a minor occupation.

- Home occupations shall be incidental to the residential use of the dwelling and shall not change the essential residential character of the dwelling or adversely affect the uses permitted in the district of which the home occupation is to occur. No home occupation shall be permitted which might interfere with the general welfare of the surrounding residential area due to potential noise, increased pedestrian and vehicular traffic, or any other condition which would constitute an objectionable use of residentially zoned property.
 - No activity shall be conducted that creates visible evidence that the resident is engaging in a business.
 - Administrative Review
- Home Based Business (General): A Home-Based Business can be carried on by one or more of a family residing on the premises, plus not more than one additional non-resident employee. Not more than 25 percent of the total floor area of the dwelling, or not more than 50 percent of an on-site accessory building shall be used. Additionally, a home based business is generally considered a major occupation.
- Special Land Use Requirement for Home based Business: This would be a business that does require Planning Commission approval. They deal with a higher degree of standards, terms and conditions.

1 Addition to section 5.2 Words and Terms Defined

2 **Mobile Food Vending Vehicle** – A mobile food vendor business that is motorized or non-motorized,
3 designed and equipped to serve food for individual consumption at the point of sale, and is removed each
4 day from the location where the food is sold. This includes a truck, cart, wagon and the like.

5 **Mobile Merchandise Vending Unit** - A mobile vendor business that is motorized or non-motorized,
6 designed and equipped to sell non-consumable merchandise, and is removed each day from the location
7 where the merchandise is sold. This includes a truck, cart, wagon and the like.

8 **Mobile Vendor:** The owner or operator of a Mobile Vending Vehicle or Unit.

9 **Mobile Vendor Court:** A site containing 3 or more mobile vending units and associated amenities on
10 private property.

11 **Mobile Vending Unit** –Refers to both Mobile Food Vending Vehicles and Mobile Merchandise Vending
12 Units.

13

14 Addition to Article 9 Special Provisions

15 **9.8 Mobile Food Vending Vehicles and Mobile Merchandise Vending Units**

16 9.8.1 Mobile Vending Units, Generally - For the purposes of this section, a “Mobile Vending Unit” refers to
17 both Mobile Food Vending Vehicles and Mobile Merchandise Vending Units.

18 *9.8.1.1* Mobile Vending Units are permitted to operate in non-residential zoning districts (B-1, B-2,
19 M-1 or M-2) on private property with express written permission from the property owner.
20 Sites must be developed with a principle building that has a current City business license
21 and an operating use.

22 *9.8.1.2* Mobile Vendors are required to obtain a business license and Mobile Vending Permit from
23 the City of Bay Minette prior to commencing operations within the city.

24
25 *9.8.1.3* Vendors must operate in a safe and sanitary manner and kept in a clean, well-maintained
26 condition to ensure units are free of excessive dirt, rust, mud, grease or other unsightly,
27 unsanitary or otherwise undesirable condition.

28
29 *9.8.1.4* Mobile Vending Units shall be permitted to occupy a maximum of two (2) off-street parking
30 spaces in a location that does not block drive aisles, ingress or egress from the property,
31 or fire and emergency access.

32
33 *9.8.1.5* Mobile Vending Units shall be removed at times other than the hours of operation and the
34 set-up and take-down periods. Vehicles shall not be left unattended or stored at any time
35 on an authorized operating site when vending is not taking place or during restricted hours
36 of operation.

37

38 9.8.1.6 Mobile Vending Units shall not use or maintain any outside sound amplifying equipment,
39 lights, or noisemakers, such as bells, horns or whistles or similar devices to attract
40 customers.

41
42 9.8.1.7 Any auxiliary power, water or sewer utilities required for the operation of the Mobile
43 Vending Unit shall be self-contained or provided by the property owner.

44
45 9.8.1.8 Vendors shall serve only walk-up customers, no drive-thru service allowed
46

47 9.8.1.9 Parking Considerations

- 48 a. The Mobile Vendor Unit, nor related customer vehicles, cannot obstruct any street or
49 sidewalk, or interfere with the free passage of persons/vehicles on such streets or
50 sidewalks.
- 51 b. Parking of the Mobile Vending Unit cannot be located in City right of way in municipal
52 limits
- 53 c. Mobile Vendors should encourage pedestrian access where possible. When vehicular
54 access is required, Vendor must ensure customer parking is contained on property
55 where parking permission has been obtained for that purpose.

56
57 9.8.1.10 The provisions of this section shall not apply to special events, festivals, community
58 projects or public events which occur on a periodic basis and are approved by the City.

59 9.8.2 Mobile Food Vending Vehicles

60 9.8.2.1 All Mobile Food Vending Vehicles must be inspected initially by the City of Bay Minette Fire
61 Inspector. Annual inspections are required, and each Mobile Food Vending Vehicle is
62 subject to re-inspection at any time.

63 9.8.2.2 The selling of non-food or non-drink items shall be limited to merchandise displaying the
64 Mobile Food Vending Vehicle company logo and/or branding. No items shall be displayed
65 outside of the vehicle.

66
67 9.8.2.3 No signage is allowed except signage physically affixed to the Mobile Vending Unit
68 identifying the vendor and no more than two, 24" x 48" sandwich board-type signs
69 displaying menu, pricing or other similar information. The signs may be displayed only
70 during business hours, shall not obstruct or impede pedestrian or vehicular traffic.
71 Electronic or illuminated signs are not allowed.

72
73 9.8.2.4 Mobile Food Vending Vehicles shall not provide furniture, objects or structures outside of
74 the vehicle with the exception of trash receptacles and shade structures attached to the
75 vehicle.

76
77 9.8.2.5 All Mobile Food Vending Vehicles shall offer a trash receptacle for customer use that must
78 be removed with the vehicle each day at the vendor's expense. Mobile Food Vendors shall

79 keep the permitted premise and adjacent public property clean and free from all trash,
80 litter, debris or waste generated from the operation of its business.

81
82 *9.8.2.6* Any auxiliary power, water or sewer utilities required for the operation of the Mobile Food
83 Vending Vehicle shall be self-contained or provided by the property owner.

84
85 *9.8.2.7* The provisions of this section shall not apply to special events, festivals, community
86 projects or public events which occur on a periodic basis and are approved by the City.

87
88 *9.8.2.8* No more than two mobile food units shall operate on the same site per day.

89 *9.8.2.9* Mobile Food Vending Location Requirements

- 90 a. A minimum of 150 feet from the front door of any restaurant in current operation,
91 without written permission from the restaurant owner.
92 b. A minimum of 150 feet from Primary schools within city limits, measured from the
93 nearest lot line of the school, without written permission from the School's Principal.
94 c. A minimum of 500 feet from any stadium, ballpark, festival, special event or other
95 similar sponsored event licensed or authorized by the City, unless authorized by the
96 sponsor to be participants in the event.
97 d. A minimum 15-foot clearance from fire hydrants, driveway entrances and handicap
98 parking spaces/ramps.
99 e. A minimum 10-foot clearance from buildings, fire lanes, sidewalks or utility box.
100 f. When located on or adjacent to a street, food service shall be solely from the side of
101 the unit that opens away from the street.

102 **9.8.3 Mobile Merchandise Vending Unit**

103 *9.8.3.1* Merchandise is limited to non-consumable items.

104
105 *9.8.3.2* No more than one Mobile Vending Unit shall operate on the same site per day.

106 *9.8.3.3* No signs shall be allowed, other than that which is physically attached to the unit. One, 24"
107 x 48" sandwich board-style sign identifying the vendor or indicating pricing, may be
108 displayed within 10 feet of the unit. The sign may be displayed only during business hours,
109 shall not obstruct or impede pedestrian or vehicular traffic, and shall be located on-site.
110 Electronic or illuminated signs are not allowed.

111 *9.8.3.4* Mobile Merchandise Vending Unit Location Requirements

- 112 a. A minimum 15-foot clearance from fire hydrants, driveway entrances and handicap
113 parking spaces/ramps.
114 b. A minimum 10-foot clearance from buildings, fire lanes, sidewalks or utility box.
115 c. When located on or adjacent to a street, service shall be solely from the side of the
116 unit that opens away from the street.

117 **9.8.4 Mobile Vending Unit Permit**

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9.8.4.1 Fees for a Mobile Vending Permit

- a. Daily Permit (single 24-hour period) - \$25.00
- b. Monthly Permit (30 consecutive days) - \$50.00
- c. Annual Permit (January 1 – December 31) - \$100.00
- d. In addition, a \$25.00 Administrative Land Use Review is required per site, prior to commencing operations

9.8.4.2 Mobile Vendors shall have express written permission of the property and/or business owner(s) for each location at which the mobile vending unit operates. This approval shall be in writing, signed by the property and business owner(s), shall remain on the mobile vending unit at all times and must be made available for inspection upon request of any city official at any time during the operation of the mobile vending unit.

9.8.4.3 Prior to the issuance of a City of Bay Minette business license or Mobile Vending Permit, Vendors are required to obtain all applicable licenses/permits, including but not limited to Alabama Department of Public Health permits and Alabama Department of Motor Vehicles licensing.

9.8.4.4 Mobile Vending Units and site locations are subject to the review and approval of the Bay Minette Police Department and the Bay Minette Fire Department.

9.8.4.5 Compliance with *Article 9.8* shall be determined at the time of application or in the discretion of the Code Enforcement Officer if determined in the field. Mobile Vending Units determined to be non-compliant shall immediately institute all corrective action(s) deemed necessary by the Code Enforcement Officer.

9.8.4.6 Operation without a Mobile Vending Permit will result in a \$500.00 fine. If found in violation of any section of this ordinance, vendor may be issued a ticket for violation and fined an amount of \$25.00 - \$250.00 Each violation is considered a separate and distinct offense; and each day is a separate violation.



City of Bay Minette

Planning Commission

Site Plan Review Application

Office Use Only	
Case No.:	SP-2002
Fee:	\$300.00
Paid:	<input type="checkbox"/> Cash <input type="checkbox"/> Check
	<input checked="" type="checkbox"/> Credit Card

Are you the property owner? Yes No
 (If you are not the property owner, you must submit an Agent Authorization Form signed by the property owner)

Applicant Name: Charles McDaniel _____ **Date:** 6/29/2020 _____

Mailing Address: PO Box 442 _____

City: Orchard Hill _____ **State:** GA _____ **Zip Code:** 30266 _____

Phone Number: 904-373-8282 _____ **Email:** charles@blueashgroup.com _____

Site Information

Property Address: 601 Railroad Street, Bay Minette, AL 36507 _____

or Property Location: _____

***Parcel No.:** 05-23-05-16-2-001-041.000 _____ ***PPIN No.:** 1417 _____

**Parcel or PPIN information must be completed*

Request: mini-warehouse, do-it-yourself type storage facilities are allowed with Planning Commission approval (site plan application) in the B-2 zoning designation _____

I, the undersigned, do hereby request the City of Bay Minette Planning Commission to grant a Site Plan Review for the location to determine if it meets the regulations of the **Zoning Ordinance** for the reason(s) stated above.

Charles McDaniel

06/29/2020

Signature of Applicant (Owner of Property of Authorized Agent)

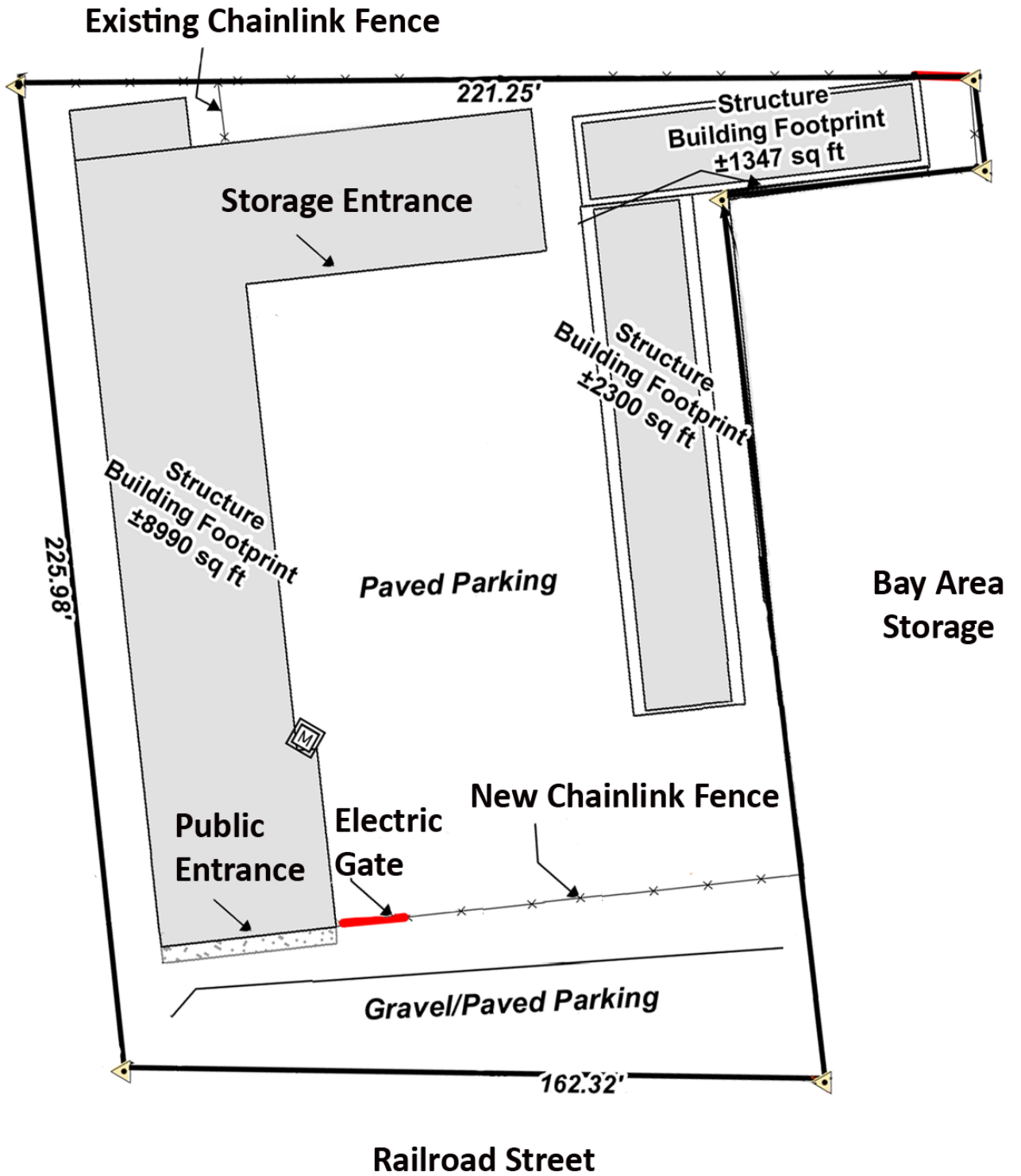
Date

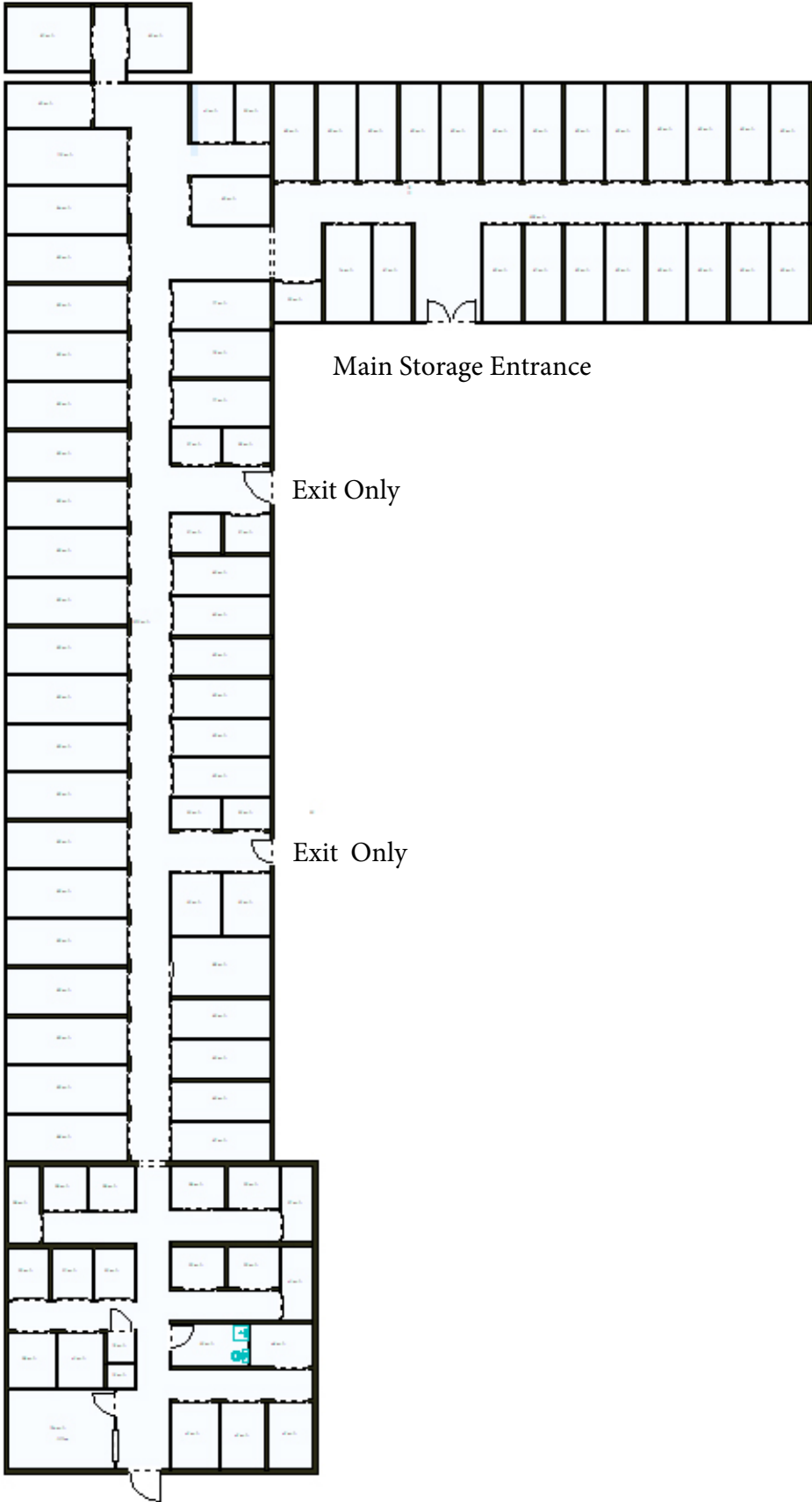
Submittal Requirements

- _____ Application
- _____ Fee paid in full
- _____ Agent Authorization Form (if applicant is not the owner)
- _____ Complete Legal Description of Property
- _____ Plot Plan or Survey – indicating any existing structures, proposed structures, and setbacks from property lines
- _____ Submittal Requirements listed in 8.9 Site Plan, as applicable

Self-Storage Project for Charles McDaniel

601 W. Railroad Street





Main Storage Entrance

Exit Only

Exit Only

Public Entrance



City of Bay Minette

Planning & Development Services

Planning Commission Staff Analysis

Case No. SP-2002
 Blueash Holdings LLC Property
 Site Plan Approval Request for Mini-Warehouse Storage Facility
 July 9, 2020

Subject Property Information

Physical Location:	601 Railroad Street	Applicant:	Charles McDaniel
Parcel Number:	05-23-05-16-2-001-041.000		P.O. Box 442
Current Zoning:	B-2, General Commercial District		Orchard Hill, GA 30266
Current Land Use:	Vacant Commercial Structures	Owner:	Blueash Holdings, LLC
Proposed Land Use:	Mini-Warehouse Storage Facility		3116 La Reserve Dr.
Acreage:	0.82± acres		Point Verde Beach FL., 32082

	Adjacent Land Use	Adjacent Zoning
North	Piggly Wiggly Shopping Center	B-2, General Business District
South	Undeveloped & Residential	Railroad and R-3, Higher Density Single Family
East	Commercial (Bay Aire)	B-2, General Business District
West	Undeveloped	B-2, General Business District

Summary

The subject property, which consists of approximately 0.82± acres, is currently zoned B-2, General Business District. The Site Plan request is for a mini-warehouse, do-it-yourself storage facility. This property is the last developed piece on Railroad Street until a residential area west of the Hwy 59 overpass. It has been historically used as a commercial structure but has sat vacant for many years. The property contains three structures that the applicant states will be renovated to contain approximately 90 climate-controlled self-storage units and covered, open-air parking spaces for storing items like small boats, trailers and small RVs.

Per the Table of Permitted Uses, these mini-warehouse storage facilities are only allowed with Planning Commission approval in the B-2 and M-1 zoning districts.

Table of Permitted Uses and Conditions	R-A	R-1	R-2	R-3	R-4	R-5	B-1	B-2	M-1	M-2
Warehouse and storage facilities, minor: mini-type do-it-yourself storage facilities								P	P	

Current Zoning District

6.3.2 B-2, General Business District. *This district is intended to provide opportunity for activities causing noise and heavy traffic, not considered compatible in the more restrictive business district. These uses also serve a regional as well as a local market and require location in proximity to major transportation routes. Recreational vehicle parks, very light production and processing activities are included.*

Staff Analysis and Findings

The following guidelines for Uses Requiring Planning Approval are found in **Article 8 – District Requirements** in the *Zoning Ordinance of the City of Bay Minette* and are to be considered when an application is being reviewed for site plan approval.

1.) Is the Location and Site Plan appropriate with regard to transportation, access, water supply, waste disposal, fire and police protection and other public facilities; not causing undue traffic congestion or creating a traffic hazard.

The storage facility will house approximately 90 climate-controlled self-storage units and ten (10) 10' X 20' covered parking spaces for small boats, trailers, and small RVs. There is also a small building in the rear of the property that will house one non-climate controlled storage space with access remaining on the front of the building facing the main building. The main brick structure will house the climate controlled units and manager's office with four exterior accesses to the building as indicated on the submitted floorplan.

The planned hours of operation will be from 8 AM to 8 PM with a manager on-site for 20 to 30 hours per week as needed. Security lighting will be installed in the front of the property and there is existing lighting at the rear of the property. Security cameras will be installed throughout the property. The fence in the front of the property will be replaced with new chain-link fence in the current location and a new electric gate will be installed beside the main building for self-access.

The facility will exceed the required parking spaces and have 4 paved spaces in front of the main building and gravel parking for at least 10 cars outside of the fenced area. Parking requirements for the facility per *Section 9.2.3.5 Industries: "Commercial, manufacturing and industrial establishments not catering to the retail trade require one space for each employee on the maximum working shift, plus one space for each vehicle operating from the premises."*

The proposed use should have a nominal impact on public infrastructure. The Bay Minette Police Department and North Baldwin Utilities have stated they have no issues and the Bay Minette Fire Department has not expressed any concerns.

2.) Being in harmony with the orderly and appropriate development of the district in which the use is located.

The proposed use is consistent with its current zoning designation – B-2, which is *"intended to provide opportunity for activities causing noise and heavy traffic, not considered compatible in the more restrictive business district"* The subject property is designated as Commercial on the Future Land Use Map in the Comprehensive Plan, which is consistent with the current designation and proposed use. The property immediately adjacent to the east is Bay Aire, Bay Area Self Storage and a North Baldwin Utilities substation and to the north is the Piggly Wiggly Shopping Center. To the west is vacant undeveloped property all the way to the Highway 59 overpass. The property fronts the railroad with Railroad Street on each side. On the south side of Railroad Street is a residential area zoned R-3. There is another small mini-warehouse facility one block east at Armstrong and Railroad Street. The surrounding area should benefit more from an active business than having vacant, potentially dangerous structures sitting idle.

3.) Other matters which may be appropriate in relation to *Section 8.9 Site Plan*

a) *The density or intensity of land use to be allocated to all parts of the site together with tabulations by acreage and percentages thereof itemized by use and density.*

- Site: .819 acres
- Existing structures/lot coverage: 12,637±sq ft // @35% lot coverage

b) *The location, size and character of any common open space, commonly owned facilities and form of organization which will own and maintain any common open space and such facilities.*

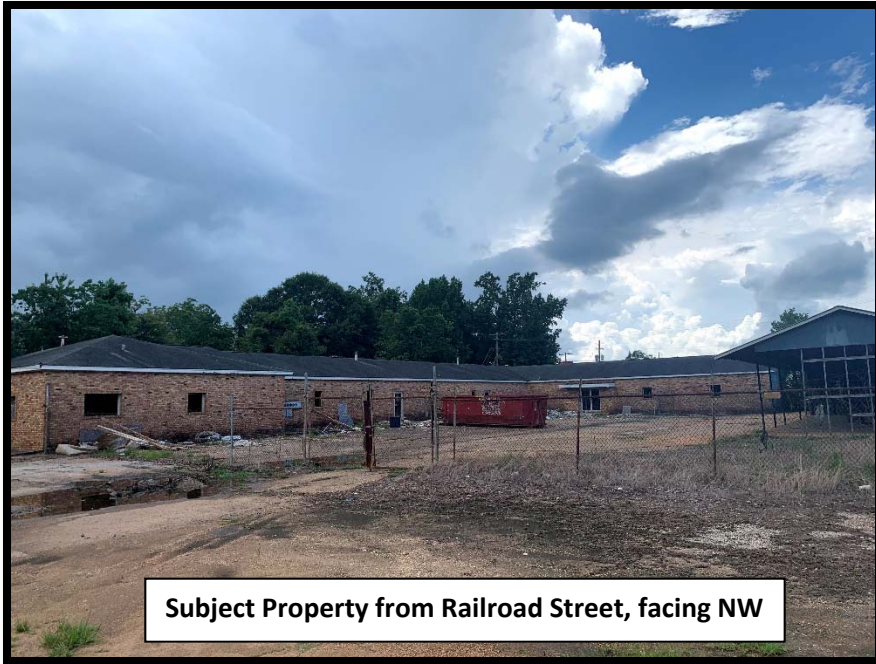
N/A

- c) *The use and maximum height, bulk and location of all buildings and other structures to be located on the site.*
All structures existing, see site plan submitted
- d) *The substance of covenants, grants of easements or other restrictions which will be imposed upon the use of the land, buildings and structures, including proposed easements or grants for public utilities or other purposes.*
N/A
- e) *The provisions for disposition of open space, including tree protection, landscaping provisions and buffering requirements.*
All structures are existing – Article 10 applies to the construction of commercial structures. The property does not abut a residential district so a buffer zone is not required. The existing structures have also been built from property line to property line leaving minimal possibility for landscaping/screening due to access and parking. Pending ownership determination, staff does recommend that the existing tree located on the southwest corner of the property be retained with necessary trimming acceptable.
- f) *In the case of plans which call for development over a period of years, a schedule showing the proposed times within which applications for building permits are intended to be filed.*
N/A
- g) *Where required by the Alabama Department of Transportation (“ALDOT”), the Building Official shall be proved proof that the applicant has submitted a driveway permit application to ALDOT. In the event that any type of traffic study is required by the ALDOT, copies thereof shall be provided to the Building Official.*
N/A
- h) *Front and side architectural elevations.*
N/A – structures are existing
- i) *The location and size of all signs to be located on the site. In the event that a sign is pre-existing and fails to conform to the requirements as set forth in this ordinance, site plan approval will be granted only under the condition that all signs will comply with the regulations as set forth in the sign ordinance.*
No existing signage on site and no signage plans submitted. Any new signage will require a City of Bay Minette Sign Permit and will comply with current sign regulations.
- j) *Landscape plans.*
See item (e) above.
- k) *Any additional data, plans or specifications which the applicant or the City believes is pertinent and which will assist in clarifying the application including, but not limited to plans for screening, lighting and space, surface drainage, erosion and sediment control, water and sewer connections, landscaping, and signs.*
See items detailed above

Planning Commission Action

For Site Plan Approval, the Planning Commission makes the final decision and has the option to:

- Approve the Site Plan
- Approve the Site Plan with conditions
- Deny the Site Plan, with stated factors for the denial.



Subject Property from Railroad Street, facing NW



Subject Property from Railroad Street, facing NE



Subject Property, facing West



Subject Property, facing East



Subject Property, facing N/NE – Outside Storage



From Subject Property, facing railroad/SW



Along Railroad Street, facing East



From Subject Property facing S/SE

SP-2002



Subject Property

UNNAMED

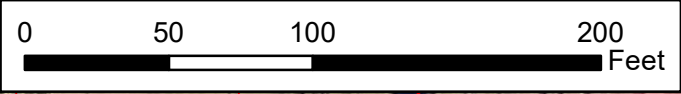
W RAILROAD ST

UNNAMED

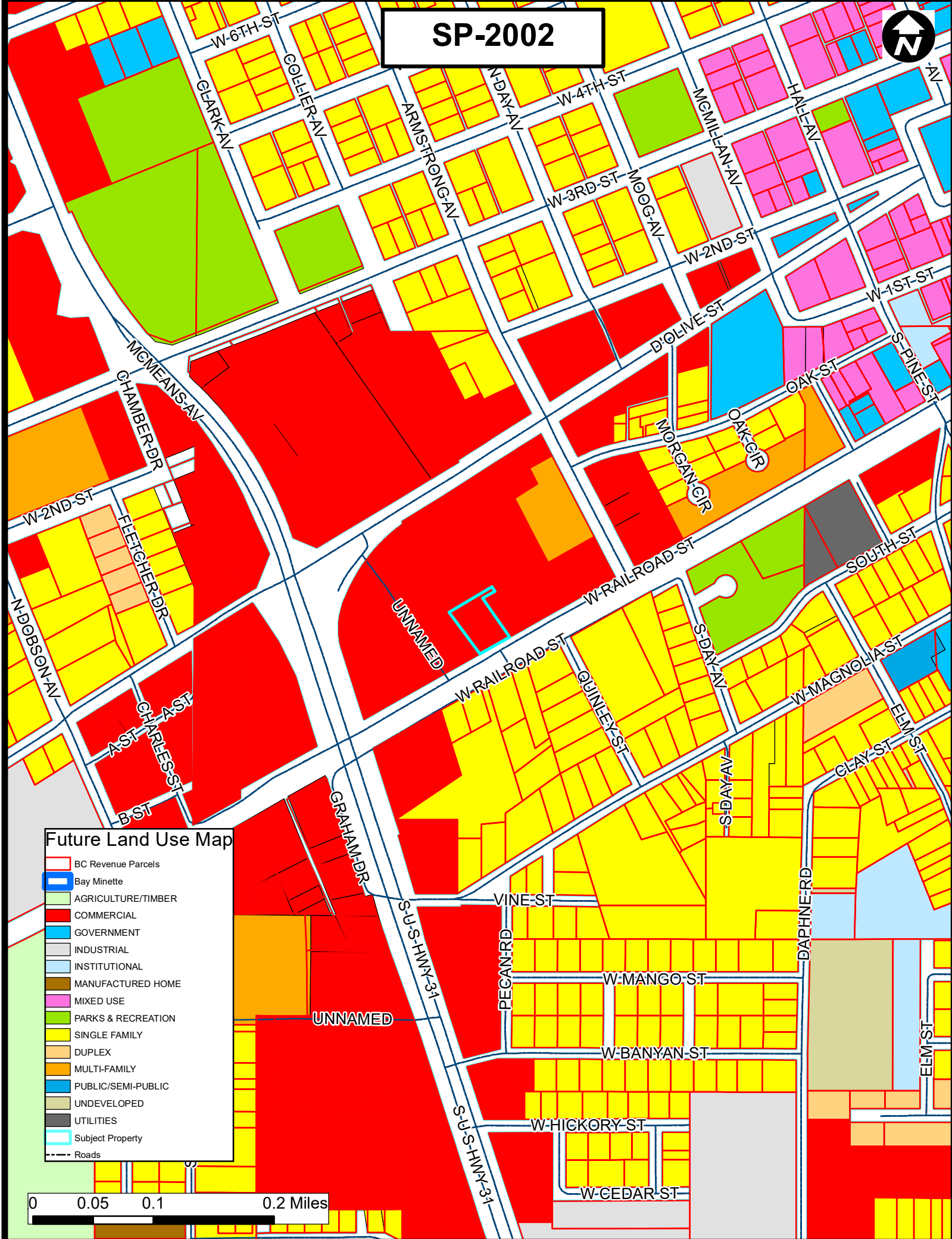
W RAILROAD ST

Legend:

- Parcels (indicated by a red outline)
- Roads (indicated by a black line)



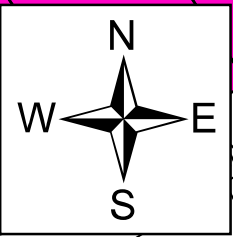
SP-2002



Future Land Use Map

- BC Revenue Parcels
- Bay Minette
- AGRICULTURE/TIMBER
- COMMERCIAL
- GOVERNMENT
- INDUSTRIAL
- INSTITUTIONAL
- MANUFACTURED HOME
- MIXED USE
- PARKS & RECREATION
- SINGLE FAMILY
- DUPLEX
- MULTI-FAMILY
- PUBLIC/SEMI-PUBLIC
- UNDEVELOPED
- UTILITIES
- Subject Property
- Roads





SP-2002

Legend

- Parcels
- BAY MINETTE ZONING**
- RA
- R1
- R2
- R3
- R4
- R5
- B1
- B2
- B2H
- M1
- M2
- City Limits
- County Asphalt
- County Gravel/Dirt

Subject Property

Bay Minette

VE ST

ARMSTRONG AV

UNNAMED

UNNAMED

W RAILROAD ST

QUINLEY ST

SUS HWY 31

W RAILROAD ST

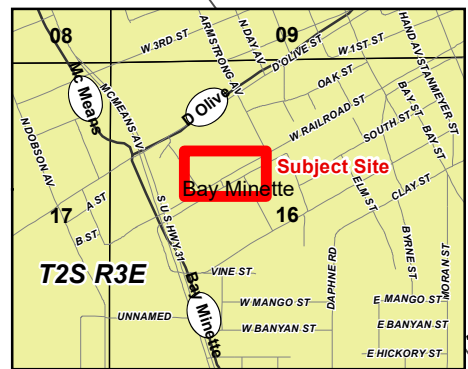
0.05

0.1

Miles



Vicinity Map



WSBL, INC
26834
0373 0000135

overhead electric

Total Deed Call 300'
Total Measured 301.37'

POINT OF BEGINNING
found 5/8 inch rebar

S 59-37-15 W 80.12'
N 36-42-30 W 20.85'
set 1/2 inch yellow capped rebar JPA CA 920 (±1.5' east of fence)

To POINT OF COMMENCEMENT
Purported NE corner of Lot 30,
Dinwiddies Addition to the Town of Bay Minette
Miscellaneous Book-1, PG 10-11
(found 1/2 inch open top pipe)

FEMA Flood Hazard Area X

GALLOWAY, KEITH
233938
IN 0000 0533923

BLUEASH HOLDINGS LLC
PIN 1417
IN 1758867
±0.87 acres

Structure
Building Footprint
±8990 sq ft

Asphalt

3'x117.54'
sewer easement
per IN 1758867

Total Deed Call 300'
Total Measured 303.92'

Grate-inlet, inaccessible
at time of survey

found 1/2 inch yellow capped rebar Polysur

Zoned B-2 (Per Baldwin County ISV site)
FEMA Flood Hazard Area X

NANCY A SIMS INVESTMENTS LIMITED PARTNER
38836
RP 0861 0000698

Note: Only visible utilities are shown on
this survey, underground utilities were
not located during the course of this survey.



1 inch = 60 feet

Surveyor's Notes:
1. Sources of information used to facilitate this document may have been previously submitted by this company, other firms, clients, or other involved entities.
2. Bearings and distances are referenced to grid north in the Alabama State Plane Coordinate West Zone (NAD 83) with coordinate units in US survey feet. All quadrant bearings depicted are referenced as Degrees° Minutes' Seconds". GPS and conventional techniques were used to derive the information depicted hereon.
3. Field work performed May 21, 2020.
4. Utilities were not located for the purpose of this survey, except where shown on this survey.
5. No instruments of record concerning right of ways, easements or ownership were furnished, except as noted on this survey.
6. This survey was delivered without the benefit of a title search or abstract history. No liability is assumed for loss or judgments related to an abstract, title search, or legal process associated with this property.
7. Total liability for this survey shall not exceed the amount paid for this survey.
8. Not valid without embossed seal, original signature or stamp.
9. Copyright JPA© 2020. This work shall not be reproduced or redistributed without expressed, written permission.
10. This document valid for 60 days from date of survey.
11. All improvements, covenants, easements, or other restrictions of record may not be shown for the purpose of this survey.
12. Background imagery or information shown is not produced or guaranteed by JPA and is for graphic purposes only.

Legend	
Monument	Double Arrow Dimension
Utility Meter	Approximate Boundary
Calculated Point	CL Road
Fence corner	Culvert
Fencepost	Easement
Marked Tree	Edge Dirt Road
Access Drive	Edge Field Road
Edge Unpaved Access	Edge of Pavement
Vacated Line	Edge of Water
Natural Gas	Electric Easement
COGO Line	Fence
Gate	Overhead Electric
Pier	RR Track
Right of Way	Setback Line
Sewer Line	Survey Boundary
Vegetation Line	Water Line
Water Line	Water
Wetland	Water
Approximate Boundary	COGO Boundary
Concrete	Fence
Structure	Survey Boundary

FEMA FLOOD HAZARD AREA INFORMATION
FEMA flood hazard area information shown hereon is a product of FEMA's Digital Flood Insurance Rate Map (DFIRM), ID 01003C0294M, City of Bay Minette 010004 with an effective date of April 19, 2019. Flood areas depicted on this map are not produced, regulated, or approved by J Pierce and Associates LLC. For further information, please consult the National Flood Insurance Program.

Legal Description
As written by J Pierce and Associates, LLC. on June 8, 2020, and based on results of boundary survey of said property.

COMMENCING from the purported Northeast corner of Lot 30, Dinwiddies Addition to the Town of Bay Minette, Miscellaneous Book 1, Pages 10-11, as recorded in Baldwin County, Alabama Judge of Probate Office, said point being a found 1/2 inch open top pipe, thence S 76° 48' 36" W 432.38' to a found 1 inch crimp top pipe, thence S 59° 37' 15" W 80.12' to a found 5/8 inch rebar, said point being the POINT OF BEGINNING, thence S 59° 39' 04" W 221.25' to a found 1.75 inch open top pipe, thence S 36° 11' 18" E 225.98' to a found 1.75 inch crimp top pipe, thence N 60° 55' 30" E 162.32' to a found 1/2 inch yellow capped rebar-illegible, thence N 36° 43' 49" W 202.68' to a set 1/2 inch yellow capped rebar JPA CA 920, thence N 53° 45' 37" E 61.14' to a set 1/2 inch yellow capped rebar JPA CA 920, thence N 36° 42' 30" W 20.85' back to the point of beginning, containing ±0.87 acres and subject to all easements, right of ways, and restrictions included therein.

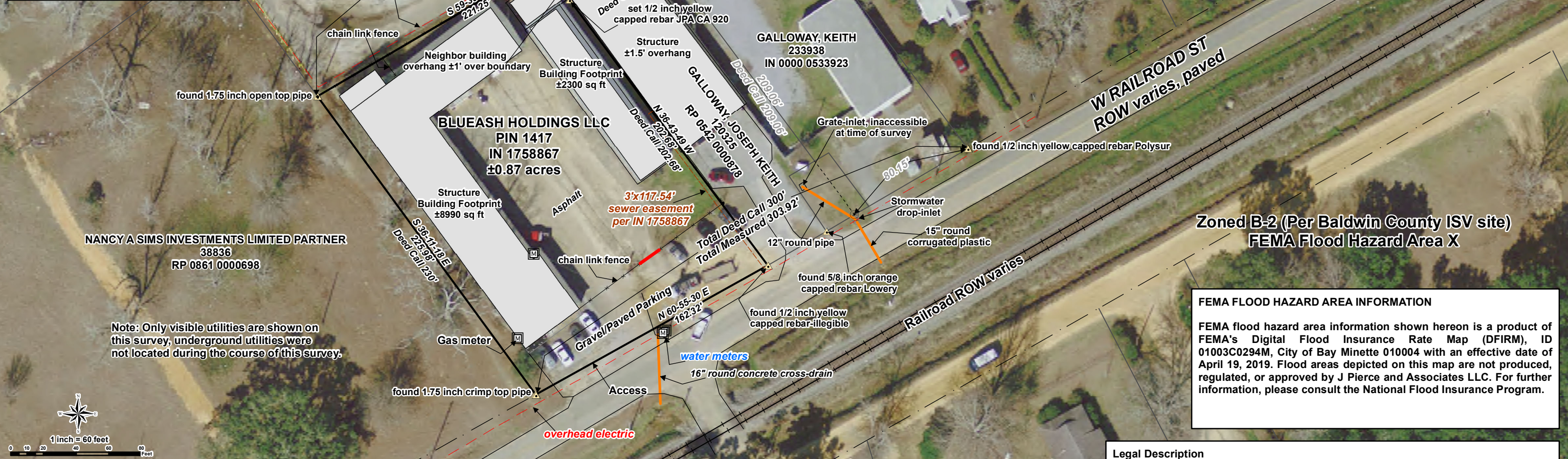
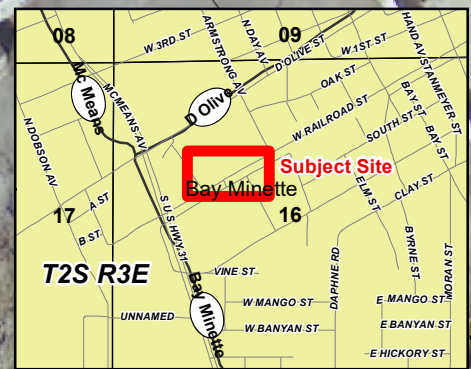
I hereby state all parts of this survey and drawing have been completed in accordance with the current requirements of the standards of practice for land surveying in the state of Alabama to best of my knowledge, information, and belief.

J Pierce and Associates LLC
Geospatial Consultants
16116 Old Ganey Road
Bay Minette, AL 36507
jacob@jpierceandassociates.com
jpierceandassociates.com
251-508-5975

Results of Boundary Survey for Charles McDaniel		
Section 16 T2S R3E	JPA Project #555	610 W Railroad St. Bay Minette, AL 35507
Field work: MDB Drawn: MDB Checked: JKP	Date: 6/10/2020 This document supersedes any previously dated document	

Jacob Pierce GISP, PLS
AL #30816-S
Date

Vicinity Map



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Utility Meter	Approximate Boundary	Overhead Electric	COGO Boundary
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Fence corner	Culvert	RR Track	Fence
Fencepost	Easement	Right of Way	Water
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Edge Unpaved Access	Edge of Pavement	Vegetation Line	Water Line
Vacated Line	Edge of Water	Vegetation Line	Water Line
Natural Gas	Electric Easement	Water Line	Wetland
COGO Line	Fence		

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Jacob Pierce GISP, PLS _____ Date _____
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