

Bay Minette Planning Commission Regular Meeting Minutes

Minutes October 10, 2019

Monthly Meeting No. 10

The Bay Minette Planning Commission met in Regular Session on Thursday, October 10, 2019. The meeting was called to order by Chairman Stewart at 8:00 a.m., 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 8:00 a.m. the following members were present:

Todd Stewart, Chairman
Ed Pepperman, Vice-Chairman
Pat Robinson, Building Official
Scotty Langham, Commission Member
Jessica Davis, Commission Member

Commission Members absent:

John Biggs, Council Member
David Diehl, Commission Member

Other persons in regular attendance:

Scotty Lewis, Attorney
Rita Diedtrich, City Clerk
Tammy Smith, City Administrator/Finance Director
Clair Dorough, City Planner
Steven Stewart, Fire Department
Leslie Johnston, SARPC

Attending late:

Robert A. "Bob" Wills, Mayor

GUESTS

David Lindsey
Tejuania Nelson
Carlos Gill (Attended late)
Danny Patterson (Attended late)

INVOCATION

Chairman Stewart gave the invocation, followed by the pledge. Chairman Stewart introduced newly appointed Commission Member Jessica Davis.

ITEM 3. Approval of Minutes of the September 12, 2019. Commission Member Pepperman made a motion to approve the minutes. The motion was seconded by Commission Member Langham and unanimously carried.

ITEM 4. Old Business

- Chairman Stewart noted that projects previously presented would be resubmitted for consideration. Those projects include: Baldwin Pole and Piling Subdivision and J. W. Joiner's Planned Unit Development project on Clay Street.

ITEM 5. New Business:

A: Public Hearing Case No. Z-1901, Lighthouse Holiness Church, Inc.

Request: Approval of rezoning from R-2, Medium Density Residential Single-Family to B-2, General Business District for a Religious Daycare Center.

Location: The subject property is located at 1829 US Highway 31, in the former Green Acres Baptist Church building.

Mrs. Dorough presented the staff analysis to the Commission. Mrs. Dorough stated that the project was started without any permits and that applicant would need to verify access onto Highway 31 with the Alabama Department of Transportation. Chairman Stewart asked the applicant representatives about the number of students proposed and if the facility would also be used as a church. The applicant stated approximately 120 students and the academy would only be used as a HeadStart/daycare facility. Chairman Stewart also asked about screening from adjacent residential properties. After much discussion, Commission Member Pepperman moved to recommend the project to the City Council for re-zoning from R-2 to B-2. The motion was seconded by Commission Member Langham. Prior to a vote, City Attorney Scotty Lewis made a point of order regarding the required public hearing for the rezoning request. Commission Member Pepperman rescinded his motion, and Commission Member Langham rescinded his second. At that time, Chairman Stewart opened the public hearing at 8:20am. With no one present in opposition to the project, Chairman Stewart closed the public hearing at 8:21am. After much discussion, Commission Member Pepperman moved to recommend the project to the City Council for re-zoning from R-2 to B-2. The motion was seconded by Commission Member Langham and unanimously carried. Commission Member Pepperman moved to approve the use the building for a daycare contingent upon City Council approval of the rezoning.

The motion was seconded by Commission Member Langham and unanimously carried. City Attorney Lewis brought up a discussion of Planning Commission approval required for the use of a daycare facility in a B-2 zoning designation. After much discussion, Commission Member Pepperman made a motion to approve the use of the property as the Lighthouse Academy daycare center contingent upon a successful rezoning request to the City Council. The motion was seconded by Commission Member Langham and unanimously carried.

B: Zoning Ordinance Revision

Before Chairman Stewart brought up the next order of business, Mayor Wills updated the council on the Bay Minette Elementary School move on Friday and excused himself from the meeting.

Chairman Stewart stated that the zoning ordinance would need some revision and a Planning Commission work session will be held to discuss the revisions. Mrs. Dorough presented an overview of the proposed revisions, including:

- o Authority of the planning/zoning official
- o Commercial Ice Vending Machines
- o Food Trucks
- o Accessory Structures
- o Table of Permitted Uses

Chairman Stewart proposed a revision to the Administrative Subdivision Regulations to allow staff review and approval of combination of parcels parcel line reconfigurations where no new parcels are created.

ITEM 6. Reports:

A. Mayor/Council Report:

- City Administrator Tammy Smith spoke concerning the Alabama Opportunity Zone Meeting.

B. Attorney Report

- Mr. Lewis spoke concerning the need to revise the ordinance concerning moving of a lot line.

C. Commissioner's Report

- SARPC representative Leslie Johnston brought up the inclusion of "Tiny Homes" into the discussion of potential zoning ordinance amendments as

well as including a list of "Interpretations" into the back of the Zoning Ordinance and a list of amendments with a brief summary.

- Chairman Stewart announced that Tripp Ward has been appointed by the City Council to the Planning Commission but is awaiting approval from Alabama Power to accept the appointment.

D. Planning Staff

- Mrs. Dorough announced that the City had recently hired a Code Enforcement Officer, Thomas Brown, and that the Planning Department had implemented new forms for zoning verifications, code enforcement and complaint forms are now online.

ITEM 8. With no further business Chairman Stewart adjourned the meeting at 9:10 a.m.

DONE THIS THE 10TH DAY of OCTOBER 2019



Todd Stewart, Chairman

ATTEST:



Rita Diedtrich, City Clerk