

Bay Minette Planning Commission Regular Meeting Minutes

Minutes March 12, 2020

Monthly Meeting No. 3

The Bay Minette Planning Commission met in Regular Session on Thursday, March 12, 2020. The meeting was called to order at 8:02 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 8:02 a.m. the following members were present:

Todd Stewart, Chairman
Ed Pepperman, Vice-Chairman
Robert A. "Bob" Wills, Mayor
Scotty Langham, Commission Member
Jessica Davis, Commission Member
Neal Covington, Commission Member

Commission Members absent:

John Biggs, Council Member
Pat Robinson, Building Official

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

GUESTS Sonny Dobbins

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

ITEM 3. Approval of Minutes of the February 13, 2020 meeting. Mayor Wills made a motion to approve the minutes as written. The motion was seconded by Commission Member Langham and it was unanimously carried.

Wynter Crook joined the Planning Commission meeting at 8:05am.

ITEM 4.

Old Business:

- RA- 2001 - Proposed Zoning Ordinance Amendment - Public Hearing

Section 7.17 – Existing Covenants

Article XI – Planned Unit Development (PUD)

Section 14.4 – Establishment & Membership of the Board of Adjustment

Chairman Stewart introduced the Old Business pertaining to the Proposed Zoning Ordinance Amendments for Existing Covenants, Planned Unit Development (PUD), and Establishment & Membership of the Board of Adjustment (BOA). Mrs. Dorough gave a brief statement of the line items that would change following an approved amendment change, which would include the clarification for existing covenant regulation compliance, requirement of a minimum 5 acres for a Planned Unit Development, and removing the self-imposed line item that restricts potential BOA members from serving on other public boards or in other public positions.

Chairman Stewart opened the Public Hearing at 8:07am. He asked if there were any comments or questions. There were none. Chairman Stewart closed the Public Hearing at 8:08am. Commission Member Pepperman made a motion to recommend adoption of the amendment modifications to City Council. Commission Member Langham seconded, and was unanimously carried.

ITEM 5.

New Business:

- a.) Z-2001, Dobbins Property – Public Hearing

Request: Re-zoning of a lot from M-2, General Industrial District to R-3, Higher Density Single-Family Residential District for a proposed residential subdivision of 3 lots.

Location: The subject property is located at 11 Crosby Road

Chairman Stewart asked Mrs. Dorough to explain the re-zoning request for the Dobbins property that is located at 11 Crosby Road. Mrs. Dorough stated the re-zoning request is to go from a current M-2, General Industrial District to R-3, Higher Density Single Family Residential District, to develop the property for

three single family homes. She stated the property is located close to the old Crosby Mill, and the property on the east side of Crosby Road is outside of municipal limits. Mrs. Dorough also stated an R-3 re-zoning would be more consistent with the Future Land Use Map, instead of the current M-2 zoning. Mrs. Dorough commented the next case on the agenda is a request for the same property to be subdivided into 3 lots. Chairman Stewart stated the Public Hearing notices for cases that will go to City Council will now be run concurrently, and asked Mrs. Dorough to explain the reasoning behind this action. Mrs. Dorough explained the change will allow the applications to be completed in a more efficient and cost-effective manner. Applicants will benefit by having their cases resolved in a much shorter time frame. Mrs. Dorough also stated that all public hearings will run concurrently but the applicant still has the option to withdraw if they so choose. Scotty Lewis stated this is a very efficient re-zoning process. Chairman Stewart asked Sonny Dobbins if he had any comments on his re-zoning request. Mr. Dobbins stated he was recently, initially denied a Certificate of Occupancy (C/O) due to demolishing and rebuilding a residential home before inquiring about zoning. He also said he would not have torn down the home if he had known there was a potential issue, and these types of changes should be addressed. Chairman Stewart remarked that Jim Crosby contacted him for assurance the re-zoning would not affect him.

Chairman Stewart opened the Public Hearing at 8:15am for the request of a re-zoning of 11 Crosby Road from M-2 General Industrial District to R-3, Higher Density Single Family Residential District. Chairman Stewart asked if there were any comments or questions. There were none. Chairman Stewart closed the Public Hearing at 8:15am. Jessica Davis made a motion to approve the re-zoning request. Commission Member Pepperman seconded, and was unanimously carried.

b.) AS-2001, Dobbins Property

Request: Proposed residential subdivision of 3 lots

Location: The subject property is located at 11 Crosby Road

Chairman Stewart introduced the request for consideration of the subject property to be subdivided into 3 parcels. Mrs. Dorough explained the request meets the requirements of an Exempt Subdivision, including fronting a public road, and briefly summarized the information located on the staff analysis. Chairman Stewart stated the subdivision request meets the requirements for an exempt subdivision. He also stated there is Fire Code requirement that a fire hydrant must be within 600 ft. of the residential home, and Mr. Dobbins would need to consider that requirement as he moves forward with the

process, as the third lot is more than 600 ft. from the existing fire hydrant. Mr. Dobbins acknowledged he understood, with no comments or questions expressed. Mrs. Dorough stated the subdivision request is contingent upon a successful re-zoning from M-2 to R-3, as dictated in the previous New Business Item "a". Chairman Stewart asked the commission if there were any questions or comments. None were made. Mayor Wills made a motion to approve the request to subdivide the lot into 3 parcels, pending a successful re-zoning of the property. Commission Member Pepperman seconded the motion, and it was unanimously carried.

ITEM 6. Reports:

A. Mayor/Council Report

- Mayor Wills stated the softball tournament at the new sports complex that was held the previous weekend went well and the complex is starting to see some good activity. A ladies' softball tournament will also be held the following Saturday. Mayor Wills also stated that he and Tammy Smith will be meeting with the Baldwin County Commission next week to negotiate prices on the City's office building that houses the Police Department and Senior Center. There will also be an environmental analysis done soon for the Brownfield grant on the Ballard property. Mayor Wills added the renovations on the second floor of City Hall have started. Commission Member Pepperman inquired about the Ballard property that is located next to City Hall. Mayor Wills stated the property is being considered for the Police Department, and there will be more discussions on the future for the "Justice Center", as it being called now. Mayor Wills stated since Chief Tolbert took over as the City Police Chief, the cases have multiplied and the magistrate needs a more productive and open working space, so he will also be moving upstairs in City Hall once the renovations are completed. They are also looking into some options for the Senior Program and have sought out some potential locations such as the school auditorium or library, but neither were suitable.

Commission Member Pepperman stated the new car wash is up and running. Both Mayor Wills and Tammy Smith commented the car wash was a nice establishment.

B. Attorney

- None

Mayor Wills inquired about a comment Sonny Dobbins made during the discussion regarding his re-zoning request. Mrs. Dorough explained there was a residential home that was torn down and rebuilt in an area not zoned for a

residential home. The structure was rebuilt as a legal nonconforming use, and received a CO, but there was confusion on the nonconforming status at the time the owner was closing on the home. Mayor Wills stated he was under the impression a residential home could be built in a commercial area, and Mrs. Dorough explained that is only with Planning Commission approval. She also stated that per the current Zoning Ordinances, residential homes aren't allowed in M-1, Light Industrial District or M-2, General Industrial District. This was discussed during the last planning commission meeting to allow them through the special exception process so that when a residential home was rebuilt in a nonresidential zoning area, it would not be stuck with a non-conformity. Mayor Wills stated that Mike Phillips brought up the issue of "not knowing" when changes are happening, and questioned if it would be a good idea to notify contractors and subcontractors of any update(s) as they become the new standard procedure. Mrs. Dorough stated it is essentially the contractor's responsibility to do their due diligence in obtaining all information prior to any work commencing. She also stated there will be some corrected versions of regulations and updated ordinance amendments that will be included on the City of Bay Minette website, with availability to zoning maps as well. Chairman Stewart suggested all potential builders meeting with the City Planner prior to their building process, in order to avoid potential problems such as needing to re-zone, or having a non-conforming issue. Mrs. Dorough stated it could be advertised through the City Newsletter, and updated on the City of Bay Minette Facebook and webpages, as well. Chairman Stewart commented the City of Daphne has a pre-development meeting on bigger projects prior to any permits being issued, to help avoid problems. Mrs. Dorough stated the City has an unofficial, similar pre-development procedure, but it could be made an official requirement prior to application.

C. Commissioner

- None

D. Planning Staff

- Mrs. Dorough stated the Planning and Building Department have been getting many calls regarding the old Winn Dixie building that is currently being demolished. She added there are no replacement use plans, as of now. She also stated there are no tenant replacement plans going into the Monterrey's restaurant at this time. Mayor Wills inquired if the Popeyes franchise was still coming to the area. Mrs. Dorough answered that Popeyes is fairly locked in, but she doesn't want to publicize certainty, because they have not secured a co-franchise yet and are still searching.

Leslie Johnston included that the Coastal Zone Management Planning Grant has a deadline of March 27th, and it is an annual grant.

ITEM 8. With no further business Chairman Stewart adjourned the meeting at 8:40 am.

DONE THIS THE 12TH DAY of MARCH 2020



Todd Stewart, Chairman

ATTEST:



Jessica Peed, Planning Assistant