

Bay Minette Planning Commission

Regular Meeting Minutes

Minutes September 9, 2021

Monthly Meeting No. 9

The Bay Minette Planning Commission met in Regular Session on Thursday, September 9, 2021. The meeting was called to order at 8:04 a.m., by Chairman Stewart, in the Council Chambers 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 8:04 a.m. the following members were present:

Todd Stewart, Chairman
Robert A. "Bob" Wills, Mayor
William Taylor, Commission Member
Wynter Crook, Commission Member
Neal Covington, Commission Member
Ray Clark, Commission Member
Rob Madison, Building Official
Earl Emmons, Commission Member
Scotty Langham, Commission Member

Commission Members absent:

Neal Covington, Commission Member

Commission Members late:

Other persons in regular attendance:

Clair Dorough, City Planner
Jessica Peed, Planning Assistant
Tammy Smith, City Administrator
Scotty Lewis, City Attorney

GUESTS

Keith McDill
Marcia Ward
Sandy Lamb
Paul Stewart

INVOCATION

Chairman Stewart gave the invocation, followed by the pledge.

ITEM 3.

Approval of revised Minutes of the July 8, 2021 due to monthly typo error. Councilman Taylor made a motion to approve the July minutes with the

correction. The motion was seconded by Commission Member "Mayor" Wills and was unanimously carried. Approval of the August 12, 2021 meeting. Commission Member "Mayor" Wills made a motion to approve the August minutes as written. The motion was seconded by Commission Member Langham and was unanimously carried.

ITEM 4. Old Business

a.) Code Enforcement Procedures Discussion

Mrs. Dorough stated this discussion was briefly discussed at the prior Planning Commission agenda. Commission Member Madison gave a brief update stating the meeting was discussing the direction needed to proceed with letters, liens or citations. There was a brief overview of the meeting including the City Council determining unsafe structure priorities, the budget and properties who fall under categories, code enforcement procedures, and various ways to attempting to contact out of state LLC's or owners of said properties. Mayor Wills stated to leave this topic on the Planning Commission agenda for next month to give update on the procedure progress.

ITEM 5. New Business:

a.) ES-2105 McDill Family Subdivision

Disclosure of Prior Communications and/or Conflict of Interest

Request: Family Exemption for a 2-lot Subdivision

Location: The subject property is located at 11990 Jaycee Road

Chairman Stewart stated the applicants were in attendance and inquired if there were any prior communications or conflicts of interest to which there were none. Mrs. Dorough introduced the request and stated the division meets all requirements. The applicant stated the request is in a response to financing purposes. Chairman Stewart commented this type of request is associated with a previous discussion within the Planning Commission and asked if there were any other questions before making a motion. Since there were no questions or comments, Commission Member Clark made a motion to authorize the Chairman to sign the plat. Commission Member Emmons seconded, and it was unanimously carried.

b.) SE-2103 North Mobile Towing

Disclosure of Prior Communications and/or Conflict of Interest

Request: Special Exception for an automobile wrecking service

Location: The subject property is located at 2513 S US Hwy 31

Chairman Stewart asked if there were any prior communication or conflicts of interest to which there were none. Mrs. Dorrough introduced the request and states that there are currently multiple businesses existing around this property, and a wrecking service is only allowed in a B-2 zoning district with a Special Exception. She states the applicant has added coverings, but the issue is the property does not have enough depth to allow for screening plants, as per a requirement of a wrecking service, but the Planning Commission has the option to make a recommendation to the Board of Adjustment to allow a variation on that requirement but require the applicant to place siding on both sides. There was a discussion on the potential for unsightly issues and other businesses who have caused this issue, the wrecker rotation requirements per the State, and potential environmental issues with leaking oil/fuel. Mrs. Dorrough interjected that the potential unsightly issue with this request will also be subjected to Code Enforcement should they not comply with maintaining a nice sightly appearance. Commission Member Clark stated this request does not meet the requirement of #13 of the staff report the compliance with any other matter relating to the health, safety, and welfare of the community. Chairman Stewart stated there is another option to table the request until the applicants attend a Planning Commission meeting so these matters can be discussed with them. Commission Member Emmons made a motion to table the request due to the applicant not being present at the meeting. Councilman Taylor seconded and it was unanimously carried.

c.) SP-2104 Southern Visions Site Plan Approval

Disclosure of Prior Communications and/or Conflict of Interest

Request: Site Plan Approval for additional building

Location: The subject property is located at 2109 S US Hwy 31

Chairman Stewart asked if there were any prior communication or conflicts of interest to which there were none. Mrs. Dorrough introduced the request and states that this is essentially a Site Plan revision/approval to the previous Site plan approval for Southern Visions / Sweet Brew. She states this proposal is for a larger building instead of addition but still meets the minimum lot coverage and discusses the difference in the buildings labeled "A", "B" and "C", essentially going from vertical to horizontal. Chairman Stewart inquires on the minimal increase in impervious surface to building impervious surface which there was a brief discussion. Commission Member Clark made a motion to approve the modified Site Plan to include the decrease in vertical structure. Commission Member Langham seconded the motion, and it was unanimously carried.

d.) City/County Planning Jurisdiction Agreement

Mrs. Dorrough reminded everyone of the State Law that recently passed on July 26, 2021 regarding the City/County Jurisdictions. She states the City Council approved the draft at the most recent City Council meeting, with the

primary change being that Bay Minette's subdivisions are now only reviewed within Corporate limits instead of also being reviewed within the ETJ (Extra Territorial Jurisdiction) as well. She states the County has more stringent regulations, and the County Commission will notify the City if a subdivision is being constructed within our Police Jurisdiction. There is a discussion on maps, Police Jurisdictions, building permit jurisdictions, recent municipality or county pushback on agreement, and annexation potential. Commission Member Langham made a motion to approve and adopt the Resolution. Councilman Taylor seconded the motion and it was unanimously carried.

e.) RA-2102 Subdivision Regulation Amendments

Mrs. Dorough stated there are only a few revisions to section 5,7,8 and 11 including the fee schedule to be used a reference to the most current version, the minor subdivisions to include an existing paved road instead of simply saying existing road, clarification on E-911 signature block to approve roads and addresses as they have made that request, and Exempt/Administrative Subdivisions changing Minor Subdivisions to change from 6 lots to 3 lots. Chairman Stewart inquired to why she is requesting the roads to include they be paved public roads to which Mrs. Dorough states the maintenance for paved vs. unpaved roads and it helps the City to not have public expenditures. She also states this only apply to subdivisions of 6 lots or less and Minor Subdivisions, and this is to help the general public. There is a brief discussion on residential and commercial development uses. Mrs. Dorough states the rest of the changes are related to the State Act. Chairman Stewart stated there will be a Public Hearing at the next Planning Commission and to be sure to read over the proposed changes.

ITEM 6.

Reports:

- a.) Mayor/Council Report - None
- b.) Attorney – None
- c.) Commissioner – None
- d.) Planning Staff

Mrs. Dorough states there is an upcoming Dollar General Site Plan approval on Hand Ave for the upcoming Planning Commission meeting. She also states there is a conference on October 13th through the 15th that she will most likely be attending and since these days falls on the October meeting she is

requesting to reschedule it to the following week. There is a brief discussion on possible dates with potential issues. Chairman Stewart asks that Mrs. Dorrough send out an email to all members and see which day is most acceptable for the members to ensure a quorum.

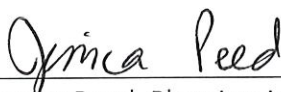
ITEM 7. With no further business Chairman Stewart adjourned the meeting at 9:23 a.m.

DONE THIS THE 9th DAY OF SEPTEMBER, 2021

A handwritten signature in black ink, appearing to read "Todd Stewart", written over a horizontal line.

Todd Stewart, Chairman

ATTEST:

A handwritten signature in black ink, appearing to read "Jessica Peed", written over a horizontal line.

Jessica Peed, Planning Assistant