

Bay Minette Planning Commission Regular Meeting Minutes

Minutes October 19, 2021

Monthly Meeting No. 10

The Bay Minette Planning Commission met in Regular *Rescheduled Session on Tuesday, October 19, 2021. The meeting was called to order at 8:03 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 8:03 a.m. the following members were present:

Todd Stewart, Chairman
Robert A. "Bob" Wills, Mayor
William Taylor, Commission Member
Rob Madison, Building Official
Earl Emmons, Commission Member
Scotty Langham, Commission Member

Commission Members absent:

Wynter Crook, Commission Member
Ray Clark, Commission Member

Commission Members late:

Neal Covington, Commission Member

Other persons in regular attendance:

Clair Dorough, City Planner
Jessica Peed, Planning Assistant
Tammy Smith, City Administrator
Scotty Lewis, City Attorney
Jason Padgett, NBU
Steven Stewart, Fire Department
Kristina Pittman, Chamber of Commerce

GUESTS

James Thomas
Alyssa Hailey

INVOCATION

Chairman Stewart gave the invocation, followed by the pledge.

- ITEM 3.** Approval of the Minutes of the September 9, 2021 meeting. Commission Member "Mayor" Wills made a motion to approve the September minutes as written. The motion was seconded by Commission Member Emmons and was unanimously carried.

Commission Member Covington joined the Planning Commission meeting at 8:05am.

- ITEM 4.** Old Business

- a.) SE-2103 North Mobile Towing

Chairman Stewart introduced the previously tabled request for a towing company located on S US Hwy 31. Mrs. Dorough stated she spoke with the applicant prior to the meeting, and per his request, he has decided to withdraw his application at this time. Mrs. Dorough states there is a 365-day time limit for the applicant to reapply, should he wish to move forward with this business one day.

- ITEM 5.** New Business:

- a.) ES-2106 Overstreet Family Division
Disclosure of Prior Communications and/or Conflict of Interest
Request: Family Exemption for a 2-lot subdivision
Location: The subject property is located on Old Brady Road

Mayor Wills states he has been working with the applicant, Leon Overstreet, and recuses himself from the room.

Chairman Stewart asks if there were any other prior communications and/or conflicts of interest to which there were none at this time. Mrs. Dorough states this application was submitted prior to the new jurisdiction agreement and introduces the application request to subdivide into 2 parcels for a family division, and states it meets requirements for Exempt Subdivision. Chairman Stewart inquired as to if both Agent Authorizations were in order, to which Mrs. Dorough stated they were. Mr. Padgett states that water, gas and sewer were all available to that area. With no other questions or comments, Commission Member Covington moved to authorize the Chairman to sign the plat. Commission Member Langham seconded and it was unanimously carried, with the exception of Mayor Wills abstaining due to recusing himself because of his involvement in the subdivision request.

Mayor Wills re-enters the Planning Commission meeting.

b.) SP-2105 The Broadway Group Site Plan Approval

Disclosure of Prior Communications and/or Conflict of Interest

Request: Site Plan Approval for a new commercial retail store

Location: The subject property is located at 2303 Hand Avenue

Chairman Stewart asked if there were any prior communication or conflicts to which there were none. Mrs. Dorough gave an introduction of the Site Plan request for a new commercial retail store, including that the land is Agricultural on the Land Use map, and is adjacent to other businesses. There is a brief discussion between the Fire Department and NBU, to which Mr. Stewart stated a fire hydrant is required and Mr. Padgett includes there is no impact on public infrastructure. Mrs. Dorough states the lot coverage will be at 29% including the parking lot. Chairman Stewart inquires to the applicant if ALDOT issued approval to which Mrs. Hailey states they have already received approval from ALDOT with no conditions or issues. There is a brief discussion including the dumpster enclosure detail, front/side elevations façade, green belt zone, stormwater detention outflow, shutter functions vs. decorations to include a more architectural feel and the species of trees. Chairman Stewart and Steven Stewart inquired to the egress door at the south end of the building that did not have a sidewalk for 150 ft to the front of the building. They also discussed whether there would be enough vehicular delivery maneuvering room without damaging the landscape or curbs. After a brief discussion, Commission Member Covington made a motion to approve the Site Plan with the conditions of adding the sidewalk from the rear egress door on the south side of the building to the front sidewalk and identifying and approving the truck turn radius. Commission Member Emmons seconded the motion and it was unanimously carried.

c.) SP-2106 James Thomas Site Plan Approval

Disclosure of Prior Communications and/or Conflict of Interest

Request: Site Plan Approval for Auto Repair Shop

Location: The subject property is located at 1100 S Highway 31

Chairman Stewart asked if there were any prior communication or conflicts of interested to which there were none. Chairman Stewart inquired if the applicant was present to the meeting to which Mr. Thomas stated he was. Mrs. Dorough gave a brief introduction tot the Site Plan request for an Auto Repair Shop and stating that Table of Permitted Uses requires Planning Commission approval for this type of use in a B-2 zoning designation. She gives a layout of the surrounding businesses, the un-enclosed structures and trailers that Mr. Thomas is currently working out of on the property, and the materials that are stored outside including tires and waste material. Mrs. Dorough also states that this request came about as Mr. Thomas was attempting to obtain a City Business License, as he had previously been

operating without one. Mrs. Dorrough states the proposed use is not the issue, but rather the unenclosed metal carports, trailer and RV that aren't allowed, per Section 8.6 of the regulations, and due to this, she would recommend denial. Chairman Stewart states the Planning Commission is holding everyone who applies to a certain standard that are based on the current Ordinances. Mr. Thomas states he has been cleaning up the previous owners towing service trailer area and inquires if he is denied the timeframe he will have to clean out everything. Chairman Stewart states he does not believe there is not enough information to approve today, and the structure would need to be enclosed for this type request. He also states the proposed use is not the issue, but rather the factors stated including the un-enclosed structure and operating without a valid business license. There is a brief discussion on different options for a place of business for him to attempt to immediately move into so he can continue working, and also the best approach to deny the request at this time but one that would allow Mr. Thomas the opportunity to apply again once the pending issues were resolved. After discussing a few potential options, Mayor Wills made a motion to deny the proposed Site Plan for an Auto Repair Shop at the location of 1100 S US Hwy 31, due to the factors stated including the unenclosed metal buildings, trailer and RV; Greenbelt Zone requirements; and Site Plan submittal requirements. Commission Member Langham seconded and it was unanimously carried.

d.) RA-2102 Subdivision Regulation Amendments

Disclosure of Prior Communications and/or Conflict of Interest

Request: Public Hearing for Amendments to the Subdivision Regulations

Chairman Stewart asked if there were any prior communication or conflicts of interested to which there were none. Mrs. Dorrough discusses the changes and states the main change related to the fee schedule directory and the Subdivision content. Chairman Stewart states an amendment to the Subdivision Regulations required a Public Hearing at Planning Commission but does not require City Council action.

Chairman Stewart opened the Public Hearing for the Subdivision Regulation Amendment at 8:58am. With no questions or comments, Chairman Stewart closed the Public Hearing at 8:59am.

With no further questions or comments from the Planning Commission, Commission Member Covington made a motion to approve the modification to the Subdivision Regulation as written. Commission Member Langham seconded, and it was unanimously carried.

ITEM 6.

Reports:

a.) Mayor/Council Report

- Mayor Wills states he along with others recently met with the traffic engineer for the parking issues in downtown Bay Minette. He also states the Justice Center was approved for landscaping and engineering bids to begin in the first quarter. Mayor Wills states that Tammy Smith has been working for the FEMA reimbursement for Hurricane Sally and the reimbursement number has been reached, with only a few more approvals being required. He concludes by stating that the Baldwin County High School football team is going to the playoffs for the first time in fourteen years.

b.) Attorney – None

c.) Commissioner – None

d.) Planning Staff

- Mrs. Dorough states that a daytime UNA CAPZO training is being offered on 10/27/2021 and 10/28/2021 for anyone interested. She follows up on the recent Code Enforcement discussions stating that since Rob Madison became Code Enforcement Officer that he has been extremely busy with 57 cases being opened, 35 of those were closed, and 22 are still active. She includes that the City Council approved the revised Overgrowth and Mosquito Ordinance on first reading. Commission Member Madison states he plans to continue discussing the unsafe structure letters with Mr. Lewis so he is able to get started with that procedure. Mrs. Dorough states the next Planning Commission meeting is scheduled for Wednesday, November 10, 2021 instead of the normal Thursday meeting due to the Veterans Day holiday.

ITEM 7.

With no further business Chairman Stewart adjourned the meeting at 9:07 a.m.


DONE THIS THE 19th DAY OF OCTOBER 2021



~~Todd Stewart~~, Chairman

Neal Conington, Vice Chair

ATTEST:



Jessica Peed, Planning Coordinator