

Bay Minette Planning Commission Regular Meeting Minutes

Minutes June 9, 2022

Monthly Meeting No. 5

The Bay Minette Planning Commission met in Regular Session on Thursday, June 9, 2022. The meeting was called to order at 8:00 a.m. by Chairman, Todd 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 8:00 a.m. the following members were present, and a quorum established:

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

Commission Members absent:
Neal Covington, Vice-Chairman
Scotty Langham, Commission Member
Ray Clark, Commission Member

Commission Members late:

Other persons in regular attendance:
Clair Dorough, City Planner
Jessica Peed, Planning Coordinator
Tammy Smith, City Administrator
Scotty Lewis, City Attorney
Lauren Collinworth, Attorney

GUESTS None

INVOCATION Councilman Taylor gave the invocation, followed by the pledge.

ITEM 3. Announcements/Registration to Address the Commission
No person(s) in attendance

ITEM 4. Approval of the Minutes of the May 19, 2022, Special Called meeting. Mayor Wills made a motion to approve the May minutes as written. The motion was seconded by Councilman Taylor and was unanimously carried.

ITEM 5. Old Business

None

ITEM 6.

New Business:

Chairman Stewart states Agenda Items 6(a) and (d) will be reviewed at the same time.

a.) SP- 22003, Honey's Kitchen ****Tabled Per Applicant's Request****

Disclosure of Prior Communications and/or Conflict of Interest

Request: Planning Commission Approval for an Entertainment Venue, Food Truck Commissary and Restaurant on 8.05 acres in the M-2, General Industrial District

Location: The subject property is located at 807 Moran Street, on the East side of Moran between the intersections of E Hickory Street and E Ellis Street.

d.) Upcoming Cases

Mrs. Dorough states Agenda Item 6(a), Honey's Kitchen will also fall into the category for Agenda Item 6(d) Upcoming Cases, since the applicant requested to table her proposal. Mrs. Dorough states that moving forward, this will become an agenda item so Commission Members are aware of upcoming cases so they have the opportunity for site visits to better understand and foresee any potential impacts, prior to the case being presented. She begins briefly reviewing the upcoming proposal, 6(a) SP-22003, Honey's Kitchen, showing the surrounding areas and properties on the slideshow. She states the primary concern from Fire, Police, and the traffic engineer, at this point and reason for tabling the request, is regarding potential traffic issues that proposed entertainment venue will create. There is a brief discussion on all of the proposed uses for the site to which Mrs. Dorough explains. Councilman Taylor inquires if the residents will be made aware, to which Mrs. Dorough states that as of now, the regulations for Site Plan review do not require Public Hearing Notices, but that is one item she would like to change so adjacent property owners are made aware of the possible upcoming construction that could potentially directly impact them. There is a brief discussion on how to proceed with this particular case in regard to public notice to which Legal Counsel Scotty Lewis states since there is no authority in the Zoning Ordinance at this time to require formal notification, he would recommend the best course of action is to let the Commission members communicate the information to the surrounding property owners so they are then able to determine if they want to attend the meeting. Mrs. Dorough states another upcoming case will be a rezoning for a potential 96-unit townhouse development, which will require Public Hearing notices be mailed and a sign erected at the property. She reviews the surrounding areas including the hospital and Rotary Village, the proposed townhouse layout, access from McMillan Ave and Petty Lane, and the reasoning for the rezoning request is to allow this proposed use. She asks that the Commission members take time to visit the area to familiarize themselves before the next meeting. Chairman Stewart also advises the Commission to be cautious in stating opinions if approached by a public citizen, to avoid any potential ethical conflict(s).

b.) RA-22002, Proposed Amendments to the Subdivision Regulations ****Discussion Only****

Chairman Stewart introduces the proposed Subdivision Regulation amendment discussion. Mrs. Dorough states the foundation for the proposed revisions come from a combination of State Code, local and other planning resources available in order to ensure compliance with State and Federal laws. Chairman Stewart states these revisions are to also update some of the outdated language that is currently in the Ordinance. Mrs. Dorough reviews some of the proposed revisions including various definitions, formatting changes, Major/Minor/Exempt Subdivision changes including street drainage, lot allowance with and without public improvement, water lines, fire hydrants, improvement expense(s), previous zoning revisions and legal procedures or Ordinance revision approvals, consistent terminology between the City and County, procedure updates, clarification on submittal requirements including sketch plans, advertisement fees, covenant restrictions addition to plat when needed, clarification on tabling or withdrawing applications with resubmission timeframe allowance, and post approval recording requirements. Chairman Stewart interjects stating for the Commission to review the remaining proposed revisions on their own time as to not take up any more time at

the current meeting. Mrs. Dorough states she also has some additional changes for the Subdivision Regulation Design Standards but needs input from the City's traffic and civil engineers before proposing those revisions. Chairman Stewart states the Commission and Planning staff will target August as the deadline for modifications to be presented.

c.) RA-22003, Proposed Amendments to the Zoning Ordinance **Discussion Only**

Mrs. Dorough introduces the proposed revisions to the Zoning Ordinance and states that there are comments that are noted with some being for legal consideration. Revisions include Right-of-Way lines, fencing and screening requirements, subdivision privacy fences, commercial property maintenance requirements to help in code enforcement and nuisance issues with an example being the shopping cart that is currently located within a pothole in the Piggly Wiggly parking lot, percentage of bare metal façade exposure on certain roadways, structure coverage specified to sides or front that is visible from the Right-of-Way, prefabricated accessory structures and carport fee, Home Occupations including legal non-conforming occupations, Site Plan Review regulations including potentially adding Conditional Uses as a "use" review that is based on criteria including compatibility with the surrounding area and traffic considerations, including pre-application plan reviews prior to Site Plan Applications and adding Public Notice requirements, and the landscape ordinance. There is brief discussion on procedure to adopt the proposed revisions to the Zoning Ordinance and the Subdivision Regulations. Chairman Stewart asks that Mrs. Dorough send a version to all Commission members so they are all aware as there were absent members at the meeting. Mr. Lewis states he will double check on legal procedure for approval.

ITEM 7.

Reports:

a.) Mayor/Council Report

- Mayor Wills thanks the Planning Staff for the monumental work that went into the proposed revisions of the Zoning Ordinance and Subdivision Regulations. He also states the City is currently in discussions with the Economic Development Alliance for Novelis incentives but hopes to get that to the Council soon.

b.) Attorney- None

c.) Commissioner – Chairman Stewart inquired to the pre-zoning request at the previous meeting for the properties for proposed annexations along I-65 to which Mayor Wills states the pre-zoning was approved at first reading at the last City Council meeting. He also stated the owners at the gas station were in attendance and made a presentation including the potential financial losses they thought they might incur. Mr. Lewis states they were focusing on the annexation and not the Zoning, and the Council's objective was reviewing the zoning proposal. The City Council's second reading for the Pre-zoning will be June 20, 2022.

d.) Planning Staff – Mrs. Dorough states the next regularly planned meeting will be July 14, 2022 and she will try to send out the agendas earlier than she was able to send out the previous agenda as it has been an incredibly busy time for the department. She also states she will send out the version of the proposed revisions with a clean copy and also a red/blue line copy so it is easier to compare the changes.

Chairman Stewart states the pre-bid meeting on the Justice Center is being held today, and it will identify all bid holders and will go through all procedures, as the timeline was previously extended due to access control for the building. Tammy Smith gives a brief update regarding the new Splash Pad that will be constructed at Ulmer Park.

ITEM 8. With no further business Chairman Stewart adjourns the meeting at 9:16 a.m.

DONE THIS THE 9th DAY OF JUNE 2022

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

Chairman, Todd Stewart

ATTEST:

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