

Bay Minette Planning Commission Regular Meeting Minutes

Minutes July 14, 2022

Monthly Meeting No. 6

The Bay Minette Planning Commission met in Regular Session on Thursday, July 14, 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
Neal Covington, Vice-Chairman
Robert A. "Bob" Wills, Mayor
Rob Madison, Building Official
Earl Emmons, Commission Member
William Taylor, Commission Member
Scotty Langham, Commission Member
Ray Clark, Commission Member

Commission Members absent:

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 Collinsworth, Attorney
Steven Stewart, Fire Inspector
Jason Padgett, NBU General Manger/CEO

GUESTS

Rick & Lori Lender
Thomas Ward
Diann Peavy
Angela Greenlee
Dorothy Moody
Brandon Peed
Mike Phillips
Ann Hester

INVOCATION Scotty Langham gave the invocation, followed by the pledge.

ITEM 3. Announcements/Registration to Address the Commission

ITEM 4. Approval of the Minutes of the June 9, 2022, Regular meeting. Commission Member Emmons made a motion to approve the June minutes as written. The motion was seconded by Councilman Taylor and was unanimously carried.

ITEM 5. Old Business

- a.) RA-2202 Proposed Amendments to the Subdivision Regulations ***Discussion Only***
- b.) RA-2203 Proposed Amendments to the Zoning Ordinance ***Discussion Only***

Chairman Stewart asks Mrs. Dorough to give an update to the proposed amendments that were discussed at the previous meeting. Mrs. Dorough states that the Commission will need to schedule a work session prior to the next meeting, as Staff has not had adequate time to organize materials to distribute for review. Chairman Stewart states the Commission can discuss at the August meeting and will have a work session between the August and September Planning Commission meetings. Commission Member Clark states he will not be in attendance for the August meeting.

ITEM 6. New Business:

- a.) SP- 22003, Honey's Kitchen

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.

Chairman Stewart introduces the Site Plan request for Honey's Kitchen and inquires if the applicant is in attendance to which Mrs. Dorough states she is not currently in attendance and Mrs. Peed just attempted to call Ms. Law. Chairman Stewart states to table this request until the next meeting, to ensure the applicant is in attendance to answer any questions that Commission may have.

- b.) Z-22003, Peavy Property Rezoning Request ***PUBLIC HEARING***

Disclosure of Prior Communications and/or Conflict of Interest

Request: Rezoning from B-1, Local Business District to R-4, High Density Multi-Family Residential District, for a proposed 96-unit townhouse development

Location: The subject property is located on the West side of McMillan Avenue, South of Petty Lane.

Chairman Stewart introduces the Rezoning request and asks if the applicant is in attendance to which Thomas Ward states he is in attendance and is the developer with CRN Development. Mrs. Dorough states the request is to go from a B-1 to a R-4 zoning designation and reviews the property including the dilapidated structure that is currently located on the site. She states Petty Lane was involved in a Right-of-Way vacation and the current configuration runs into private property, but there are plans to reconfigure the road to be on City property. She states that current plans will not resurface the road from dirt to asphalt. Mr. Ward states that they have agreed to assist the City with the cost of paving the roadway, specifically for the portion that is adjacent to their property. Mrs. Dorough reviews the surrounding properties including Rotary Village, Bartlett Place VOA housing, and other single family residential. Chairman Stewart states the review for the Commission regarding this proposal is for rezoning consideration only and is only a recommendation to the City Council. Mayor Wills inquires on the requested zoning designation of B-1 and what that will allow. Mrs. Dorough reviews the definition for B-1 and states the Future Land Use Map, which was adopted in 2013, has the area intended for institutional use. There is a review of the access points for the development, with the primary access to remain McMillan Ave with the secondary to become Petty Ln. There is a brief discussion on the generally required width of pavement to which Mrs. Dorough explains, giving an example of the current width of Moran St is 18 ft and ALDOT recommends a

12 ft. lane, with some of our other local roads having an acceptable width of 20 ft. Chairman Stewart asks the applicants if there is anything they would like to present. Thomas Ward, with CRN Development, states he came before Planning Commission when he developed Cypress Trace. He includes he has been looking for more property for housing, especially with the aluminum plant development, and the 1,200 sq. ft 3 bed/ 2 bath townhouses with pool and a dog park is like nothing that has been developed in Bay Minette within the past 30 years, with rent being approximately \$1,500 per month. There is a brief discussion and clarification on appropriate zoning for the property..

Chairman Stewart and Mayor Wills inquire on sewer and gas availability to which Mr. Padgett states that by closing the loop from the bypass with large water flow and natural gas, that it will strengthen the utility system which is a good thing for the City. He also includes that although there is currently not sewer availability on Petty Ln, there is a lift station on the corner of the Rotary Village property and it has plenty of capacity for sewer. Mayor Wills states Rotary Village mentioned having issues with overflow of the lift station to which Mr. Padgett explains the residents have been discarding baby wipes through system which caused issues and adds that there is a permanent mounted generator on order now for emergencies. Mr. Padgett also states that Baldwin EMC has a line there so there will be the power provider. Vice-Chairman Covington stated he has had no prior discussions on the case but has involvement with one of the owners. Chairman Stewart inquires if there were any other prior communications or conflicts to which there were none. Mrs. Dorrough reviews the staff report including that Petty Lane is to be realigned but not resurfaced, character and potential impacts on surrounding properties, compatibility with City plans, and finishes with a recommendation for approval that the project is compatible with the surrounding area and will not negatively impact quality of life. She also includes some of the items being discussed in this rezoning meeting will be more appropriately discussed at Site Plan approval, if a successful rezoning occurs. Topics including height regulations and significant tree protection, buffer requirements, road paving and that City engineering consultants will be more involved in the review process.

Chairman Stewart opens the public hearing at 8:35am.

Rick Lender asks Mrs. Dorrough to pull the zoning map as he lives adjacent to the property proposed for rezoning and questioned the zoning designation. Mrs. Dorrough states that the Planning Department is currently undergoing a massive project to verify the correct zonings so the Public Hearing notice map that was previously sent out had an incorrect zoning designation. Mr. Lender discusses the R-4, High Density Multi-Family Residential zoning designation definition and discusses the surrounding properties, including Rotary Village and the VOA housing. He states he is not opposed to this type of development, but rather the proposed location. He gives examples of his request to not allow a development of this type at this location stating it is not the best use of the land; there are mentally handicapped residents that live in the VOA; the development will affect hospital expansion and private doctor offices; residential density; and that the sidewalks are extremely close to the road. He also states he offered the developer a chance to purchase his property. There is a brief discussion on the location and density of green trees.

Angela Greenlee states she is representing on two capacities. Her family owns property on Petty Lane and this was how they were notified of the proposal, and her family owns the 13 acres of farmland located close to the entryway that they are actively trying to sell for development that would be beneficial to Bay Minette. She includes that the family has been very cautious in allowing development on their land as they take their responsibility of preserving the area and land seriously. Ms. Greenlee states her concerns with the current proposal and includes the potential increased noise issue, traffic congestion, attracting businesses in that area that could possibly deter aesthetics as the family wants the area to be attractive for businesses and churches, and has reservations of the townhomes becoming rundown after a few years. She states there is no guarantee if the development will affect the area positively or negatively. She also submits for the record a letter she has written and one from Dorothy Moody.

With no other comments or questions, Chairman Stewart closes the Public Hearing at 8:48am.

Chairman Stewart asks the developer about long term income, maintenance, and post-development aesthetics. Mr. Ward states he was previously a banker prior to developing properties for the past 25 years, and both owners are local. They will hire professional management to run the development and landscapers to maintain property; will include ways to put up a nice fence or landscape buffers; and believes this development will be good for the development of the City as it will attract more people downtown to use shops, restaurants, etc. if/when the bypass

to the beaches are built. Mr. Ward states the townhomes will not be income-based, and pools will not be or become green. Mr. Lender interjects and states the current proposal is for rezoning and is this the best use of the property. Commission Member Clark asked Mr. Ward why he chose this location to which Mr. Ward states the property was for sale and the location was close to the hospital, which is in dire need of residential housing for doctors. He believes the location is great as it is also close to the bypass that allows for residents to get to the new aluminum plant quickly. With no further questions or comments, Commission Member Clark makes a motion to recommend approval of the rezoning to the City Council. Commission Member Emmons seconds, and the motion passes with Vice-Chairman Covington abstaining.

c.) 2022-2023 Planning Commission Regular Meeting and Application Deadline Schedule

Mrs. Dorough states the deadline submission schedule is changing and is now requiring applicants to submit applications for the upcoming meeting on the same date as the previous Planning Commission meeting. Chairman Stewart asks if this is just an administrative procedure or is action required to which Legal Counsel confirms that a motion is needed. Mayor Wills makes a motion to approve the 2022-2023 schedule as presented. Commission Member Langham seconds and it is unanimously carried.

d.) Upcoming Case Briefing

Mrs. Dorough states there is currently one application submitted for a rezoning from the M-2 to M-1 zoning designation on S White Ave for a potential, maximum of 30-lot, RV Park development. She also states there is a possibility of an additional rezoning application coming up for the Taxi Office property on D'Olive to be rezoned from residential to commercial.

ITEM 7.

Reports:

a.) Mayor/Council Report

- Mayor Wills states the bid opening for the Justice Center will be July 26, 2022, and will soon finalize agreements for the Novelis project. Chairman Stewart stated they are expecting to break ground before the end of the year. Mayor Wills states that Mr. Padgett traveled to Montgomery this week to speak with ADECA regarding funding for infrastructure projects.

b.) Attorney- None

c.) Commissioner – None

d.) Planning Staff – None

ITEM 8.

With no further business Chairman Stewart adjourns the meeting at 9:02 a.m.

DONE THIS THE 14th DAY OF JULY 2022



Chairman, Todd Stewart

Acting Chairman, "Mayor" Bob Wills

ATTEST:



Jessica Peed, Planning Coordinator