

Bay Minette Planning Commission Regular Meeting Minutes

Minutes August 11, 2022

Monthly Meeting No. 7

The Bay Minette Planning Commission met in Regular Session on Thursday, August 11, 2022. The meeting was called to order at 8:06 a.m. by Acting Chairman, Bob "Mayor" Wills, 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 8:06 a.m. the following members were present, and a quorum established:

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

Commission Members absent:
Todd Stewart, Chairman
Neal Covington, Vice-Chairman
Ray Clark, Commission Member

Commission Members late:

Other persons in regular attendance:
Clair Dorrough, 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
Kristina Pittman, North Baldwin Chamber of Commerce

GUESTS
Kathy Bryars
Roosevelt Martin

INVOCATION William Taylor gave the invocation, followed by Scotty Lewis opening the pledge.

ITEM 3. Announcements/Registration to Address the Commission

ITEM 4. Approval of the Minutes of the July 14, 2022, Regular meeting. Councilman Taylor made a motion to approve the July minutes as written. The motion was seconded by Commission Member Emmons and was unanimously carried.

ITEM 5. Disclosure of Prior Communications and/or Conflicts of Interest

ITEM 6. Old Business

a.) RA-2202 Proposed Amendments to the Subdivision Regulations ****Discussion Only****
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 is scheduled to meet on August 17, 2022 at 9am for a worksession to discuss the proposed changes, with hopes to present at the September Planning Commission with Public Hearings, dependent upon the revisions requested to make.

b.)

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 the applicant is not in attendance but she did speak with her last night and relayed that her absence could effect the outcome of the meeting. Mayor Wills states that his longtime friend, Roosevelt Martin, is in attendance. Mr. Martin states he is in attendance to discuss the proposed Rezoning on S White Ave. Mrs. Dorough reviews the proposed request including vacant site being the former RAM Trading property, the proposed layout for the entertainment venue with food truck commissary and restaurant, applicants proposed parking and occupancy totals, comments from various City departments and City consulting entities regarding the potential traffic and noise issues that would arise, restriping and potentially widening and reconfiguring Moran St, potential road degradation due to increased traffic and current road width, widening the ingress and egress access for emergency vehicles, inadequate site gravel surface thickness, drainage systems and basins that will be affected, traffic analysis, and potential fire and sprinkler installation requirements. Mayor Wills inquires what the applicant stated she would like to do to move forward to which Mrs. Dorough states the applicant would like to path of least resistance and mentioned potentially moving forward with only a food truck commissary since the applicant currently owns a food truck and catering business. Mayor Wills states he believes the proposed location would be a blight on the area and there are too many negatives per the responses from the City departments and City Consulting entities. Councilman Taylor agrees with Mayor Wills stating the previous pipe companies that proposed to do business along that street caused the neighbors to complain and he believes having constant disruptions in the evenings would cause too many issues. Mrs. Dorough states the use isn't a bad thing, the location is the problem. With no further comments or questions, Commission Member Emmons makes a motion to deny the applicant's request due to incompatibility with the surrounding neighborhood, insufficient roadway width, lack of drainage information, and other deficiencies as noted in the staff report. Commission Member Langham seconds, and it is unanimously carried.

ITEM 7.

New Business:

a.) Z-22005, Cowser Property by Crystal Parks, LLC Rezoning Request ****PUBLIC HEARING****

Disclosure of Prior Communications and/or Conflict of Interest

Request: Rezoning from M-2, General Industrial District to M-1, Light Industrial District, for a proposed RV park

Location: The subject property is located on the West side of S White Avenue, approximately 600 feet north of Brady Road Ext

Mrs. Dorough states the proposal and begins reviewing the Staff report including the former radio station site, and other surrounding zoning designations with Brady Rd essentially being where the zoning designation goes from residential to industrial. She also includes the current use of the proposed vacant property which is agricultural, the potential wetlands as shown by the County's map, and Comprehension Plan. Mrs. Dorough states that while no comments were made by City departments at this time, the departments would be more involved if/when Planning Commission Site Plan review is on the agenda. She also includes sewer is currently not available because of the potential wetlands; therefore, the potential cost of the sewer and infrastructure would be the applicants responsibility. Mrs. Dorough concludes her review by stating the proposed development in itself would cause significant increase in traffic and density and includes the density per acre for the site, character of surrounding properties, public infrastructure, and states that while the applicant is not required to state the reasoning for the rezoning they have included it is for an RV park, and after the analysis, staff does not feel like the use would be compatible for the location. Mayor Wills asks the applicant if she would like to say

anything and she states she does not have any comments. Mayor Wills opens the Public Hearing at 8:47am. Roosevelt Martin inquires on the location, surrounding zonings, and questions the ability to maintain his private property. Mrs. Dorough states any zoning changes will not affect his current zoning, and any use changes would require staff or Planning Commission review. Mrs. Dorough also states the previous amendments to the Ordinance that now allows single family dwellings with Board of Adjustment approval in M-1 or M-2 zoning designations. Mayor Wills inquires on the reasoning he received a notice to which Mrs. Dorough states Staff sent adjacent property owner notices to the surrounding neighbors within a 300 ft radius. There is a brief discussion on regulations for RV parks, to which Mrs. Dorough states there are not a lot of regulations in place other than the Table of Permitted Uses allowing RV parks with Planning Commission approval in certain zoning designations. Commission Member Emmons inquires on the wetlands on the back side of the property to which Mrs. Dorough states these are considered "potential" wetlands which means it would have to be determined by a professional at the time of site plan approval. With no other comments, Mayor Wills closes the Public Hearing at 8:56am. Councilman Taylor makes a motion to deny the application. With no second, the motion dies. Commission Member Emmons makes a motion to recommend approval to the City Council. Commission Member Madison seconds. The motion carries with majority approval, with Councilman Taylor voting against the motion.

b.) Z-22006, Thompson Commercial Properties, LLC Property Rezoning Request ****PUBLIC HEARING****

Disclosure of Prior Communications and/or Conflict of Interest

Request: Rezoning from R-2, Medium Density Single Family District to B-2, General Business District

Location: The subject property is located on the North side of D'Olive St, approximately .2 miles East of McMeans Ave/US Hwy 31

Mrs. Dorough introduces the rezoning request to go from R-2 to B-2 in order to pursue other commercial uses and states the two parcels included in the application are used together and the property has maintained a legal non-conforming status and that is why they have been able to operate as commercial in a residential zoning designation. She also states the surrounding areas that includes the City's Fire Department, including that the current residential use is not compatible in that area, and there will be currently no structure or parking lot changes proposed. She states staff's recommendation for the property is to approve the request. With no further comments or questions, Mayor Wills opens the Public Hearing at 9:05am. Commission Member Emmons asks the applicant, Kathy Bryars, if the "old Thompson place" will be demolished to which Mrs. Bryars states it most likely will be but Thompson Commercial Properties will not be handling that. With no further comments or questions, Mayor Wills closes the Public Hearing at 9:06am. Commission Member Langham makes a motion to approve the rezoning request. Commission Member Emmons seconds, and the motion unanimously carries.

c.) Upcoming Case Briefing

Mrs. Dorough states she expects to receive an application for a drive-thru only coffee shop and this would be the 3rd of the franchise in Baldwin County. She also states the Peavy property rezoning request will be presented to City Council on the upcoming Monday, and there will be worksession on August 17th at 9am to discuss the potential revisions to the Zoning Ordinance and Subdivision Regulations. Mayor Wills inquires on the trailer park behind Alabama Power to which Mrs. Dorough explains it maintains a legal non-conformity status and reviews the information from the League of Municipalities regarding how or when properties lose that non-conformity status, and has included this particular proposed revision in the Zoning Ordinance that will be discussed at the upcoming worksession.

ITEM 7.

Reports:

a.) Mayor/Council Report

Mayor Wills states the bidding for the Justice Center was held last week, and thanks to Tammy Smith in the finance department making some cuts, the City is able to move forward the project and has awarded the bid but has not currently signed any contracts.


b.) Attorney- Scotty Lewis states the Council took action on the Novelis project and approved various action items that were included in the package agreement.

c.) Commissioner – None

d.) Planning Staff – Mrs. Dorough reiterates the upcoming Planning Commission worksession is scheduled for August 17th at 9am in the Council Chambers to review proposed Ordinance and Subdivision Regulation revisions.

ITEM 8. With no further business Acting Chairman "Mayor" Wills adjourns the meeting at 9:13 a.m.

DONE THIS THE 11th DAY OF AUGUST 2022



~~Acting Chairman, "Mayor" Bob Wills~~

Todd F. Steward

ATTEST:



Jessica Peed, Planning Coordinator