

# Bay Minette Planning Commission Regular Meeting Minutes

Minutes October 13, 2022

Monthly Meeting No. 9

The Bay Minette Planning Commission met in Regular Session on Thursday, October 13, 2022. The meeting was called to order at 8:04 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 8:04 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  
William Taylor, City Council/Commission Member  
Scotty Langham, Commission Member  
Ray Clark, Commission Member

Commission Members absent:  
Earl Emmons, 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 Collinsworth, City Attorney  
Steven Stewart, Fire Inspector

**GUESTS** Austin Lutz, 7 Brew Coffee Shop

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

**ITEM 3.** Announcements/Registration to address the Commission – Chairman Stewart verified attendee Austin Lutz signed in.

**ITEM 4.** Approval of the Minutes of the September 8, 2022, Regular meeting. Mayor Wills made a motion to approve the September minutes as written. The motion was seconded by Vice Chairman Covington 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

Chairman Stewart introduces the previously discussed revisions of the Subdivision Regulations. Mrs. Dorough states the top page is a summary of revisions from the previous Planning Commission meeting, and includes other changes to the numbering, Recreational Vehicle (RV) Park section including clarifications from Legal Staff on wording and definitions. Commission Member Clark inquires on ground elevation, drainage/flood zone areas regarding RV Park Sites, and Right-of-Way requirements. There is a conversation regarding the code requirements regarding street level and sloping, the appropriate section to place the clarifications regarding structure elevation, and the proposed right-of-way regulations. There are also discussions including street intersection, cut ground vs vegetation, tree protection requirements, streets

and gutters, underground drainage, and driveway width. Vice Chairman Covington inquires to the proposed sidewalk regulations to which Mrs. Dorough gives examples of the differences in requirements of sidewalks and the reasonable connection to existing sidewalks, along with a discussion on waivers. With no other questions or comments, Commission Member Clark makes a motion to adopt the proposed Subdivision Regulations as presented. Commission Member Langham seconded the motion, and it is unanimously carried. Mrs. Dorough verifies the correct timeline and procedure for the adoption of the new Subdivision Regulations.

*Vice Chairman Covington steps out of the room.*

After a brief discussion, Commission Member Clark makes a motion to extend the current Subdivision Moratorium until the posting requirements are satisfied. Councilman Taylor seconds and is unanimously carried by the remaining Commission members with the exception of Vice Chairman Covington due to a brief absence.

*Vice Chairman Covington returns.*

## ITEM 7.

New Business:

a.) *ES-22005, Lewis Property*

*Disclosure of Prior Communications and/or Conflict of Interest*

*Request:* Subdivide the property from 1 (one) lot to 2 (two) lots

*Location:* The subject property is located at the corner of Hall Ave and W 9<sup>th</sup> St

*Legal Counsel Scotty Lewis steps out of the room for the discussion, as his wife is the owner of the property.*

Mrs. Dorough introduces the request including the Staff report summary. There is a discussion regarding the lot size and surrounding areas to which Mrs. Dorough refers to the Staff report in stating that the proposal meets the standards for that zoning designation for minimum lot size. With no further questions, Vice-Chairman Covington makes a motion to authorize the Chairman to sign the plat. Commission Member Langham seconds the motion, and it is unanimously carried with the exception of Commission Member Clark, who abstained.

*Legal Counsel Scotty Lewis returns*

b.) *SP-22004, 7 Brew Coffee Shop*

*Disclosure of Prior Communications and/or Conflict of Interest*

*Request:* Subdivide the property from 1 (one) lot to 2 (two) lots

*Location:* The subject property is located at the corner of Hall Ave and W 9<sup>th</sup> St

Chairman Stewarts states since public hearings are not required for Site Plans, have the record reflect the modification of the agenda to remove the "Public Hearing" statement from this application. As there were no prior communications, Mrs. Dorough reviews the site plan application including the zoning, use allowed by right, existing site, proposed drive-through only coffee shop, proposed layout of the structure with canopy areas, cooler and dumpster enclosure, screening coverage/materials, cross over/easement access between properties that is resulting in an easement agreement that will be finalized at closing, elevations, building façade, signage, cooler elevation with QR code, crawl space, "picnic" type outdoor seating area, construction plan for washout protection, landscaping plan, ALDOT approval that is currently pending, and outdoor façade lighting. Chairman Stewart questions the proposed neon lighting along the front façade and canopy, to which a discussion ensues regarding the appropriate stipulations and route of reviewing that type of lighting. After much discussion, Commission Member Clark makes a motion to approve the site plan based upon Planning Staff review and acceptance of the overall site lighting plan and building accent lighting. Mayor Wills seconds, and it is unanimously carried.

c.) *Upcoming Case Briefing*

Mrs. Dorough states the Faulkner property that is across from the Library is requesting a rezoning for an eight (8) unit apartment complex. She states there is a potential issue with the current zoning as it is a B-3 designation, and our Zoning Ordinance does not have a B-3 zoning designation and will need additional research to ensure the appropriate route is being taken.

ITEM 8. Reports:

a.) Mayor/Council Report – Mayor Wills states the Justice Center site work is progressing, and Novelis had its groundbreaking ceremony the previous Friday. He also states the Baldwin County Seat Removal Reenactment that occurred last week was well attended. Mrs. Smith states there is a new splash pad that is being constructed at Ulmer Park, and the Burgers and Bingo event will be held in the square.

b.) Attorney - NONE

c.) Commissioner – Chairman Stewart asks that the Mayor and Councilman Taylor let the other Councilmembers know of the new subdivision regulations.

d.) Planning Staff- Mrs. Dorough states she will get a final copy of the Subdivision Regulations for the Commissioners' binders which will include Mrs. Collinsworth's recommended change. She also asks the Commission to leave the Planning Commission packet for recycling if the Commission plans to throw it away.

ITEM 9. With no further business Chairman Stewart adjourns the meeting at 9:41 am.

DONE THIS THE 13<sup>TH</sup> DAY OF OCTOBER 2022



Chairman, Todd Stewart

ATTEST:

  
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Jessica Peed, Planning Coordinator

**Motion Summary:**

- 1.) **Minutes:** Approval of the Minutes of the September 8, 2022, Regular meeting. Mayor Wills made a motion to approve the September minutes as written. The motion was seconded by Vice-Chairman Covington and was unanimously carried.
- 2.) **RA-2202, Proposed Subdivision Amendments:** Commission Member Clark makes a motion to adopt the proposed Subdivision Regulations as presented. Commission Member Langham seconds the motion, and it is unanimously carried.
- 3.) **Subdivision Moratorium Extension:** Commission Member Clark makes a motion to extend the current Subdivision Moratorium until the posting requirements are satisfied. Councilman Taylor seconds and is unanimously carried by the remaining Commission members with the exception of Vice Chairman Covington due to a brief absence.
- 4.) **ES-22005, Lewis Property:** Vice-Chairman Covington makes a motion to authorize the Chairman to sign the plat. Commission Member Langham seconds the motion, and it is unanimously carried with the exception of Commission Member Clark, who abstained.
- 5.) **SP-22004, 7 Brew Coffee Shop:** Commission Member Clark makes a motion to approve the site plan based upon Planning Staff review and acceptance of the overall site lighting plan and building accent lighting. Mayor Wills seconds, and it is unanimously carried.