



Bay Minette Planning Commission Regular Meeting Minutes

Minutes May 9, 2024

Monthly Meeting No. 5

The City of Bay Minette Planning Commission met in Regular Session on Thursday, May 9, 2024. The meeting was called to order at 8:06 a.m. by, Vice-Chairman Neal Covington, in the Council Chambers located in Bay Minette City Hall, at 301 D'Olive Street, 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:

Neal Covington, Vice-Chairman
Earl Emmons, Commission Member
William Taylor, City Council/Commission Member
Hiram Templeton, Commission Member
Ray Clark, Commission Member

Commission Members absent:

Todd Stewart, Chairman
Robert A. "Bob" Wills, Mayor
Rob Madison, Building Official/Commission Member

Commission Members late:

None

Other persons in regular attendance:

Clair Dorough, City Planner
Paula Bonner, Planner Associate
Tammy Smith, City Administrator
Steven Stewart, Fire Inspector
Lauren Collinsworth, Attorney
Melissa Hadley, GMC Consultant
Kristina Pittman, North Baldwin Chamber of Commerce

GUESTS

Marcus McDowell, *(City Acting Attorney for SD-24008)*
Brandon Bailey, *(SD-24008, Quinley Oaks Subdivision representative)*
Anthony DeLaFosse, *(SD-24008, Quinley Oaks Subdivision representative)*
Mike Phillips, *(SD-24008, Quinley Oaks Subdivision representative)*
Tymon Wallace, *(SP-24001, Abundant Life Christian Center representative)*
Fred McLaughlin, *(Z-24002, Honeycut Creek Cottages PUD representative)*

INVOCATION

Commission Member Taylor presented the invocation, followed by the pledge.

ITEM 3.

Announcements/Registration to address the Commission.

ITEM 4.

Approval of the Minutes of the April 11, 2024, Regular Meeting.

Commission Member Taylor made a motion to approve the April minutes as written. The motion was seconded by Commission Member Emmons and carried unanimously.

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

Vice-Chairman Covington disclosed TPQ, LLC (SD-24008) was a client of his accounting firm and he would be abstaining from voting.

Attorney Collinsworth disclosed TPQ, LLC (SD-24008) was a client of her law firm, therefore she will recuse herself from the case and Marcus McDowell will act as the City's Legal Counsel in her absence.

ITEM 6. Old Business
None

ITEM 7. New Business

a.) Election of Chairman and Vice-Chairman for 2024-2025

Vice-Chairman Covington opened the floor for nominations for Chairman. Commission Member Clark made a motion to nominate Todd Stewart to remain as Chairman. Commission Member Emmons seconded the motion. As there were no more nominations, Vice-Chairman Covington closed the floor for nominations for Chairman. Commission members voted unanimously to re-elect Todd Stewart as Chairman.

Vice-Chairman Covington opened the floor for nominations for Vice-Chairman. Commission Member Emmons made a motion to nominate Neal Covington to remain as Vice-Chairman. Commission Member Templeton seconded the motion. As there were no more nominations, Vice-Chairman Covington closed the floor for nominations for Vice-Chairman. Commission members voted unanimously to re-elect Neal Covington as Vice-Chairman.

b.) SP-24001, Abundant Life Christian Center, Inc. Site Plan Approval Request to Construct a New Fellowship Hall

Vice-Chairman Covington introduced the case and asked for a recap of the previous meeting. Mrs. Dorrough gave a brief overview of the application noting that the Minor Subdivision Application SD-24003, to combine five (5) lots into one (1) lot was approved at the April 11, 2024, Planning Commission meeting. The combination of the lots was necessary for the proposed new fellowship hall to meet setbacks.

Mrs. Bonner presented the case and reported a wetland delineation and ADEM permit were submitted, however site calculations in square feet for the front and side yard landscaping, off-street parking area, and parking landscape were not submitted with the application. A buffer for residential use across Daphne Road as well as the square foot dimensions for each parking space were also not provided.

Mrs. Bonner reported that Staff Recommendation for Case SP-24001, Abundant Life Christian Center, Inc. Site Plan Approval Request to construct a new Fellowship Hall was for Approval with the following Conditions:

1. Submittal of existing and proposed site calculations for front and side yard landscaping.
2. Submittal of required ten foot (10') wide buffer along Daphne Road.
3. Submittal of existing sanctuary seating to determine required total off-street parking.
4. Submittal of existing and proposed total off-street parking calculations in square feet.
5. Submittal of the square feet and dimensions of each proposed parking space.
6. Any signage will require a sign permit prior to construction/installation to review compliance with full sign ordinance.

After staff's presentation, the Planning Commission began a discussion on the following items:

- The existing fellowship hall which has irreparable foundation damage and will be demolished.
- The new location of the proposed fellowship hall, which will be behind the sanctuary.
- Concerns regarding the amount of conditions/missing submittal items.
- The conditions/missing information were described as submitted; however, the data was either not in the correct data form or not to the City standards.

Commission Member Clark made a motion to table the item until that application is complete. Commission Member Emmons seconded the motion and carried unanimously. Mr. Tymon Wallace was present to represent the applicant. Mr. Wallace asked the commission not to table the application, however, after discussion between Mr. Wallace and commission members regarding conditional approval verses tabling the request, the motion to table remained. Mrs. Dorrough stated if all documentation is submitted, the application can be heard at the June 13, 2024, meeting under Old Business.

- c.) SD-24008, TPQ, LLC Quinley Oaks Subdivision – Preliminary Plat Approval ***Reviewed concurrently with Item #7 (d.)*
- d.) SD-24008, TPQ, LLC Quinley Oaks Subdivision – Final Plat Approval ***Reviewed concurrently with Item #7 (c.)*

Lauren Collinsworth recused herself as legal counsel and left the room as TPQ, LLC is a client of her firm. Marcus McDowell acted as legal counsel for the City of Bay Minette in Mrs. Collinsworth's absence. Vice-Chairman Covington stated TPQ, LLC is a client of his accounting firm as well. Mr. McDowell advised Vice-Chairman Covington that as the acting chair he will not vote or participate in discussions therefore he can continue to conduct the meeting.

Mrs. Dorrough presented the case pointing out that although the applicant has requested concurrent Preliminary and Final Plat, separate public hearings and motions are required for each plat, and that Final Plat review and approval is contingent upon the approval of Preliminary Plat. Mrs. Dorrough stated that this application is a revised submittal from the previous subdivision application, SD-24004 which was heard at the March 14, 2024, Planning Commission meeting. During the March meeting the preliminary plat approval request was tabled due to the proposed access on West Railroad Street which is not City-owned or maintained, and the final plan approval request was withdrawn prior to the presentation by the applicant.

Mrs. Dorrough described the revised plat as a 14-lot single family residential Major Subdivision which will be accessed via 50' private drives that connect to Quinley Street, adding that the applicant has not submitted construction plans. The applicant has requested to contribute to the City sidewalk fund instead of constructing sidewalks. Mrs. Dorrough also reported comments received from Baldwin County E-911, the City of Bay Minette Public Works Department, and the City of Bay Minette Fire Department.

Mrs. Dorrough reported Staff Recommendation for Quinley Oaks Preliminary Plat be approved with the condition that the plat be revised and plans submitted addressing the following comments and deficiencies:

1. Preliminary Plat be revised to identify the private streets and include a statement that private streets are not subject to City maintenance;
2. Preliminary Plat be revised to the satisfaction of Baldwin County E-911, including the addition of private drive names;
3. Preliminary Plat be revised to the satisfaction of the Bay Minette Fire Department regarding fire apparatus access;

4. Preliminary Plat be revised to the satisfaction of Bay Minette Publics regarding the propose culvert;
5. Preliminary Plat be revised to meet the requirements for Preliminary Plat Content;
6. Preliminary Plat be revised to incorporate sidewalks within the development as required *Section 4.17.04*.
7. Construction Plans submitted addressing the deficiencies noted by staff for review by the City Engineer and approved by City staff.

After staff's presentation, the Planning Commission began a discussion on the following items:

- Concerns regarding the amount of conditions/missing submittal items.
- Preliminary and final plats submitted with no construction plans.
- The difference between subdivision and site plan applications.
- The size and location of the apparatus access and the effect of revisions to setbacks.
- The location of an existing fire hydrant and existing power lines.
- Update of meetings with CSX regarding possible maintenance agreement on West Railroad.
- The length of the proposed private streets and setbacks.
- The possibility of Alabama Power moving the existing power lines.

Vice-Chairman Covington opened the Public Hearing for Case Item 7 (c.) SD-24008, Preliminary Plat Approval at 8:48 a.m.

Public Comments:

- Brandon Bailey, surveyor for the project, commission members and staff discussed the location of the existing fire hydrant and powerlines as in utility easements and effects of individual privacy fences on proposed lots, and requirements for location and size of fire apparatus access.
- Mike Phillips with TPQ, LLC commented on the rear yard and utilities.

Vice-Chairman Covington closed the Public Hearing for Case Item c.) SD-24008, Preliminary Plat Approval at 8:59 a.m.

Commission Member Templeton made a motion to approve the Preliminary Plat application with conditions recommended by staff, adding that the applicant can request Alabama Power to move the existing power lines. Commission Member Emmons seconded the motion and carried unanimously.

Mrs. Dorough stated that the Final Plat submitted is the same as the Preliminary Plat submitted and added that no Construction Plans were submitted. She further explained the Subdivision Regulations requiring that the Final Plat must conform substantially to the approved Preliminary Plat. Based on the number of conditions requiring revisions to the Preliminary Plat that would deviate from the presented Final Plat, as well as a lack of required construction plans that should also reflect the revisions to the Preliminary Plat, Mrs. Dorough reported Staff Recommendation for Case SD-24008, Quinley Oaks request for **Final Plat Approval be Denied**.

Vice-Chairman Covington opened the Public Hearing for Case Item d.) SD-24008, Final Plat Approval at 9:14 a.m. As there were no requests to speak, Vice-Chairman Covington closed the Public Hearing at 9:14 a.m.

Discussion items:

- The purpose of final plats in relation to preliminary plats.
- The purpose of construction plans.
- Action options for the Planning Commission to take.

Commission Member Clark made a motion to Deny the Final Plat application due to the deficiencies and lack of construction plans noted by staff. William Taylor seconded the motion and it unanimously carried. Mrs. Dorough asked that it be noted that Vice-Chairman Covington did not vote.

Lauren Collinsworth returned to the room and resumed her place as legal counsel for the City of Bay Minette.

e.) RA-24001, Minor Amendments to Subdivision Regulations *Discussion Only*****

Mrs. Dorough explained the item is discussion only for proposed minor amendment prior to public hearings. The proposal will include a few definition additions and the correction of some of the numbering, but the primary reason for the amendment is for Section 3.17.03.01 relating to Exempt Subdivisions regarding the reconfiguration of common lot lines. The proposal changes the wording from *"All exempt subdivisions shall consist of three (3) or less lots"* to *"The final configuration of all exempt subdivisions shall consist of three (3) or less lots"* and described the reasons for the proposals. There were no comments from the commission. Mrs. Dorough stated the proposed amendment is planned to be on the next Planning Commission agenda.

f.) Z-24002, Honeycut Creek Cottages PUD *Discussion Only*****

Mrs. Dorough stated that Melissa Hadley will change her role from City Engineering Consultant to applicant for this discussion. Mrs. Dorough said the proposal is for a 181-lot residential subdivision and the primary discussion is regarding the proposed 40' lot widths, described the proposed lots sizes and density, adding that the applicant has requested a work session prior to the June Planning Commission Meeting. Mrs. Dorough also reminded commission members that this item is for discussion only. Mrs. Hadley began her presentation of the proposal acting as the applicant, not as a representative of the City of Bay Minette.

Discussion items:

- The uses and zoning in the area and the proposed transition from commercial/industrial to the higher density single-family residential use.
- The lot sizes, setbacks, proposed square feet of lots, and density.
- The need for attainable housing and the cost of development.
- Proposed 60' public streets, sidewalks, open spaces, buffers and drainage.
- Road connections to parcels to the west with no public access.
- Fire code, zoning, and PUD standards, and the changing needs.
- Examples of proposed houses exteriors.
- A work session for Honeycutt Cottages PUD was scheduled for Thursday, May 30th at 8:00 a.m.

g.) Updates & Upcoming Cases

- Pre-Application meeting in April for Site Use Approval for a Daycare Facility.
- Proposed Minor 3-lot Subdivision on Armstrong Avenue.
- Pre-Application meeting in April for Site Plan Approval for the addition of two (2) new storage units.
- Jessie Peed is no longer with the City of Bay Minette.
- Location of agenda information on the City of Bay Minette website.


ITEM 8.

Reports

- a.) Mayor/Council Report – Mrs. Smith reported on the Crawfish Bash, a potential restaurant in Bay Minette, and Ladies Night Out.
- b.) Attorney – None
- c.) Commissioner – None
- d.) Planning Staff – None
- e.) Public Comment – Mrs. Pittman reported on past and upcoming local Chamber events.

ITEM 9. With no further business, Vice Chairman Covington adjourned the meeting at 10:06 am.

DONE THIS THE 9TH DAY OF MAY 2024


Vice-Chairman, ~~Neal Covington~~ Todd F. Stewart

ATTEST:


Paula Bonner, Planner Associate

Motion Summary:

Item 4.) Approval of the April 11, 2024, Regular Meeting Minutes:

Commission Member Taylor made a motion to approve the April minutes as written. The motion was seconded by Commission Member Emmons and carried unanimously.

Item 7. (a) Election of Chairman and Vice-Chairman for 2024-2025:

Commission Member Clark made a motion to nominate Todd Stewart to remain as Chairman. Commission Member Emmons seconded the motion. As there were no more nominations, Vice-Chairman Covington closed the floor for nominations for Chairman. Commission members voted unanimously to re-elect Todd Stewart as Chairman.

Commission Member Emmons made a motion to nominate Neal Covington to remain as Vice-Chairman. Commission Member Templeton seconded the motion. As there were no more nominations, Vice-Chairman Covington closed the floor for nominations for Vice-Chairman. Commission members voted unanimously to re-elect Neal Covington as Vice-Chairman.

Item 7. (b) SP-24001, Abundant Life Christian Center Inc:

Commission Member Clark made a motion to table the item until that application is complete. Commission Member Emmons seconded the motion and carried unanimously.

Item 7. (c) SD-24008, TPQ, LLC – Quinley Oaks Subdivision Preliminary Plat:

Commission Member Templeton made a motion to approve the Preliminary Plat application with conditions recommended by staff, adding that the applicant can request Alabama Power to move the existing power lines. Commission Member Emmons seconded the motion and carried unanimously.

Item 7. (d) SD-24008, TPQ, LLC – Quinley Oaks Subdivision Final Plat:

Commission Member Clark made a motion to Deny the Final Plat application due to the deficiencies and lack of construction plans noted by staff. William Taylor seconded the motion and it unanimously carried. Mrs. Dorough asked that it be noted that Vice-Chairman Covington did not vote.