

The Planning Commission met Monday, January 4, 2016 at 5:00 PM at the City Municipal Complex, 161 N. Section Street in the Council Chambers.

Present: Lee Turner, Chairperson; George Roberds, Vice-Chair; Tim Kant; Jennifer Fidler; Bob Clark; Bernie Fogarty; Jay Robinson; Hollie MacKellar; Jonathan Smith, Planning Director; Nancy Milford, Planner; and Emily Boyett, Secretary; Chris Gill, City Attorney

Absent: Councilmember Kevin Boone

Chairman Lee Turner called the meeting to order at 5:00 PM and announced the meeting is being recorded.

The minutes of the December 7, 2015 meeting were considered and Bob Clark moved to accept the minutes as written and was 2<sup>nd</sup> by Bernie Fogarty. The motion carried unanimously.

**SR 16.01 Request of Two Moore, LLC for Site Plan approval of the Moore Building, Joan Moore.** The property is located on the east side of N. Section Street just south of Oak Street, at 152 N. Section Street. Mr. Smith gave the staff report saying the property is zoned B-2 General Business District and is in the Central Business District. The applicant is proposing a mixed-use, two story building with the majority of the first floor being commercial and the second floor a single residential unit. The property is bordered on all sides by B-2 zoned property. Staff recommendation is to approve the proposed Site Plan review application contingent upon the following condition:

- 1) The scale on Sheet A-1 showing the floor plans appears to be wrong. The scale shall be changed to reflect accuracy.

Robert Maurin of Maurin Architecture was present to answer any questions.

Mr. Turner opened the floor for comments and no one was present to speak.

Mrs. MacKellar asked if the parking for the residential unit is included in the 3 spaces being provided and Mr. Smith responded yes. Mr. Clark asked if staff feels better with this proposal than with the previous one and Mr. Smith stated yes, this design is more in keeping with what the City envisions to be built in the CBD. Mr. Turner stated Mrs. Moore stated she changed the design because of the comments she received from the Commission. Mr. Clark said he would always go for a better design. Mrs. Fidler asked how the garbage will be picked up and Mr. Maurin responded a private company will pick up the garbage. Mrs. Fidler explained garbage will still be paid to the City because it is part of the utility billing. Mrs. Moore stated she is aware they will be paying for both. Tim Kant made a motion to accept the staff recommendation to approve the proposed Site Plan review application contingent upon the following condition:

- 1) The scale on Sheet A-1 showing the floor plans appears to be wrong. The scale shall be changed to reflect accuracy.

Bernie Fogarty 2<sup>nd</sup> the motion and the motion carried unanimously.

**SD 16.01 Public hearing to consider the request of Preble-Rish, LLC for Final Plat approval of Firefly Subdivision, a 27-lot subdivision, John Avent.** The property is located on the east side of Sandy Ford, at the end of South Drive. Mr. Smith gave the staff report saying the property is located in the City of Fairhope and is zoned PUD. The

site is approximately 80.4 acres and 27 lots are proposed. Staff recommendation is to approve, contingent upon the following conditions:

1. Approval of the bridge by the Public Works Director and the bridge inspector.
2. All punch list items shall be satisfied and a re-inspection of the punch list shall be requested and all items approved by the City prior to signing of the plat.
3. The applicant shall install the traffic calming device on Flatwoods Drive.
4. The applicant shall make some minor revisions clarifying the homeowners association responsibilities. Once revisions are made, the applicant shall execute the Operations and Maintenance document and then have the document recorded in probate at the time of final plat.
5. All conditions of approval shall be satisfied in a timely manner. The final plat shall be recorded within 60 days from Planning Commission approval, per the City of Fairhope Subdivision Regulations.

Mr. Avent was present to answer any questions.

Mr. Turner opened the public hearing. Having no one present to speak, Mr. Turner closed the public hearing.

Mrs. Fidler stated the walk through was good. She noted the turn around at the "T" was not quite long enough for the garbage truck to turn around. She said the City didn't catch it and the west end needs to be wider.

Bernie Fogarty made a motion to accept the staff recommendation to approve, contingent upon the following conditions:

1. Approval of the bridge by the Public Works Director and the bridge inspector.
2. All punch list items shall be satisfied and a re-inspection of the punch list shall be requested and all items approved by the City prior to signing of the plat.
3. The applicant shall install the traffic calming device on Flatwoods Drive.
4. The applicant shall make some minor revisions clarifying the homeowners association responsibilities. Once revisions are made, the applicant shall execute the Operations and Maintenance document and then have the document recorded in probate at the time of final plat.
5. All conditions of approval shall be satisfied in a timely manner. The final plat shall be recorded within 60 days from Planning Commission approval, per the City of Fairhope Subdivision Regulations.

George Roberds 2<sup>nd</sup> the motion and the motion carried unanimously.

**SD 16.02 Public hearing to consider the request of HMR, LLC for Final Plat approval of Battles Trace, Phase II, a 24-lot subdivision, Tim Lawley.** The project is located on the northeast side of Battles Road (a.k.a. County Road 34) where Battles Road turns to the north. Mr. Smith gave the staff report saying the property is located in Fairhope and is zoned TR District. The proposed site is approximately 9.75 acres and 24 lots are proposed. Staff recommendation is to approve contingent upon the following conditions:

- 1) All City supervisors shall have their final inspection comments satisfied prior to issuance of building permits.
- 2) The owner shall provide a letter stating that they understand if the City of Fairhope has to repair the utilities, then the homeowner's association/RSA will be responsible for any damages to the street from any utility repair operations.
- 3) The applicant shall provide an executed maintenance agreement for all infrastructures being accepted by the City of Fairhope for maintenance.

- 4) The applicant shall submit Bac-T tests results and GIS As-Builts that meet the approval of the Water and Sewer Superintendent.

Mr. Lawley was present to answer any questions.

Mr. Turner opened the public hearing. Having no one present to speak, he closed the public hearing.

Mayor Kant asked if another layer of asphalt will be added to the streets and Mr. Lawley responded yes, after the homes are built to keep the roads from being damaged during the construction.

Tim Kant made a motion to accept the staff recommendation to approve contingent upon the following conditions:

- 5) All City supervisors shall have their final inspection comments satisfied prior to issuance of building permits.
- 6) The owner shall provide a letter stating that they understand if the City of Fairhope has to repair the utilities, then the homeowner's association/RSA will be responsible for any damages to the street from any utility repair operations.
- 7) The applicant shall provide an executed maintenance agreement for all infrastructures being accepted by the City of Fairhope for maintenance.
- 8) The applicant shall submit Bac-T tests results and GIS As-Builts that meet the approval of the Water and Sewer Superintendent.

Bob Clark 2<sup>nd</sup> the motion and the motion carried unanimously.

**UR 16.01 Request of AT&T for an 11.52.11 Utility Review and approval of the proposed installation of approximately 2,870 linear feet of underground fiber optic cable, Jeff Hadley.** The project will run along South Drive from US Hwy. 98 to Oak Bend Court. Mr. Smith gave the staff report saying the project consists of placing 2,870 linear feet of fiber optic cable underground and 12 hand holes. He stated all work shall be directionally bored and no trenching is allowed. Staff recommendation is to approve conditional upon the applicant following the general comments related to utility work, as stated in the staff report. Jennifer Fidler made a motion to accept the staff recommendation to approve conditional upon the applicant following the general comments related to utility work, as stated in the staff report. Bob Clark 2<sup>nd</sup> the motion and the motion carried unanimously.

**Storm Water Management Plan (SWMP) Review and Approval, Jonathan Smith.**

Mr. Smith explained the SWMP is part of the City's Municipal Separated Storm Sewer System (MS4) permitting requirements. He stated the Planning Commission is the reviewing and approval body for the SWMP. The Commission watched a MS4 video. Mr. Smith and Mayor Kant thanked Kim Burmeister for her work with the SWMP plan. Mrs. Burmeister stated the video is on the City's website as well as the SWMP plan. Bernie Fogarty made a motion to accept the Storm Water Management Plan as presented. Hollie MacKellar 2<sup>nd</sup> the motion and the motion carried unanimously.

**Old / New Business**

**Comprehensive Plan 2015 Update** – Mr. Smith stated the update is now on the City's website and he asked everyone to review it. He said it will possibly be presented next month. Mayor Kant requested a special meeting and joint session with the City Council

be held for the presentation. Mr. Smith said staff will schedule it for a Thursday in February.

George Roberds made a motion to adjourn and was 2<sup>nd</sup> by Bernie Fogarty.

Having no further business, the meeting was over at 5:30 PM.

  
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Lee Turner, Chairman

  
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Emily Boyett, Secretary