

The Planning Commission met Monday, July 5, 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; Kevin Boone; Jonathan Smith, Planning Director; and Emily Boyett, Secretary
Absent: none

Chairman Lee Turner called the meeting to order at 5:02 PM and announced the meeting is being recorded.

The minutes of the June 6, 2016 meeting were considered and Bernie Fogarty moved to accept the minutes as written and was 2nd by George Roberds. The motion carried unanimously.

ZC 16.06 Public hearing to consider the request of Colin McBrearty to rezone property at 20 Fels Avenue from B-3a Tourist Resort Lodging District to R-2 Medium Density Single Family Residential District. The property is located on the south side of Fels Avenue between Short Street and Freedom Street, at 20 Fels Avenue. Mr. Smith gave the staff report saying the applicant is proposing a single family residence on the property and the request would be reduction in the potential use for the property. Staff recommendation is for the Planning Commission to provide a favorable recommendation to the City Council regarding the proposed zoning change.

Mr. McBrearty addressed the Commission saying the B-3a zoning designation does not allow accessory structures and he and his wife would like to build a home with a detached garage.

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

Tim Kant made a motion to accept the staff recommendation to provide a favorable recommendation to the City Council regarding the proposed zoning change. George Roberds 2nd the motion and the motion carried unanimously.

ZC 16.07 Public hearing to consider the request of the Fairhope Airport Authority to rezone property from R-1 Low Density Single Family Residential District to M-1 Light Industrial District, Joe McEnerny. The property is located along County Road 32 between County Road 13 and the Airport. Mr. Smith gave the staff report saying the request consists of 8 parcels and is to provide consistent zoning for parcels associated with the Fairhope Airport. Staff recommendation is to approve the proposed zoning change.

Mr. McEnerny addressed the Commission saying this request is to help clean-up the Airport property before an expansion project.

Mr. Turner opened the public hearing. Having no one present to speak, he closed the public hearing. Mrs. Fidler asked what type of expansion is planned and Mr. McEnerny responded they are in the middle of a 9 million FAA grant to build out the east side of the airport. The expansion will include taxi ways, aprons, and hangers. Mrs. Fidler stated the City will have more control by rezoning the parcels.

George Roberds made a motion to accept the staff recommendation to approve the proposed zoning change. Kevin Boone 2nd the motion and the motion carried unanimously.

ZC 16.08 Public hearing to consider the request of the Fairhope Airport Authority to establish initial zoning of M-1 Light Industrial District conditional upon annexation into the City of Fairhope, Joe McEnerny. The property is located on the south side of County Road 32, just west of County Road 13. Mr. Smith gave the staff report saying the two parcels are currently unzoned County land and the request is part of the Airports attempt to clean-up their property prior to the next phase of expansion. Staff recommendation is to approve the zoning request conditional upon annexation into the City of Fairhope.

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

George Roberds made a motion to accept the staff recommendation to approve the zoning request conditional upon annexation into the City of Fairhope. Bernie Fogarty 2nd the motion and the motion carried unanimously.

SD 16.15 Public hearing to consider the request of Hutchinson, Moore, and Rauch, LLC for Preliminary Plat approval of Battles Trace, Phase IV, a 27-lot subdivision, Scott Hutchinson. The property is located on the north side of Battles Road, north of the Colony at the Grand. Mr. Smith gave the staff report saying the property is located in Fairhope and is zoned TR Tourist Resort District. The property is approximately 8.6 acres and 27 lots are proposed. Staff recommendation is to approve as requested.

Mr. Hutchinson was present to answer any questions.

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

Mrs. MacKellar asked how many more phases will be in this development and Mr. Hutchinson responded maybe 3 but he is not sure. He stated the development is limited to a total number of lots in the Master Plan. Mr. Turner asked if there is a commercial component and Mr. Hutchinson responded yes.

Bernie Fogarty made a motion to accept the staff recommendation to approve as requested. Bob Clark 2nd the motion and the motion carried unanimously.

IR 16.01 Request of McElmurry Homes, LLC for an Informal Review of the proposed 6-lot subdivision of the Pecan Avenue Property, Mike McElmurry. The property is located on the north side of Pecan Avenue and the west side of Section Street. Mr. Smith gave the staff report saying the property is zoned R-3 Medium Density Single Family Residential District and is located at 406 S. Section Street, which is the current site of the WABF radio station. The property is approximately 2.44 acres and 6 lots are proposed. Mr. Smith stated there is a great deal of drainage that move through the property and could possibly require a large investment to assess the drainage. Staff recommendation is for the Planning Commission to provide insight and comments regarding the proposed subdivision.

Mr. McElmurry was present to answer any questions.

Mr. Clark stated he owned this property for 15 years. He asked if the site is large enough for 6 lots to meet all of the requirements and Mr. Smith responded detail plans have not been submitted but all lot standards and requirements will have to be met. Mr.

McElmurry stated the proposed lots exceed the minimum lot requirements. Mr. Clark said he knows a lot of water moves through the property and it will be a challenge to handle it. Mr. McElmurry said he has spoken with HMR, LLC regarding the drainage design. Mr. Turner asked if the common area shown will be a stormwater holding pond and Mr. Hutchinson explained approximately 50 acres drain to this property and a pond will work better for the design and no public improvements are proposed. Mayor Kant stated drainage is a huge problem and lots of water comes across this property. He asked if the oak tree will be saved and Mr. McElmurry stated he would save the tree. Mr. Clark stated the site worked well for the radio tower because of the amount of water and the copper lines for the tower work best with the water in the soil.

Mr. Turner opened the floor to public comments.

Abby Dunlap of 401 Pecan Avenue – She provided a list of concerns signed by surrounding neighbors which consisted of the following: safety – added driveways and vehicles, drainage and runoff – area is prone to flooding, noise, open space, mature trees, density, and building height. She stated people stop at the large oak tree daily to take pictures. She suggested only 3 houses be built instead of 6 to increase the long term quality and stability of the neighborhood.

UR 16.09 Request of AT&T for an 11.52.11 Utility Review and approval of the proposed installation of approximately 2,453 linear feet of conduit in the City of Fairhope right-of-way, Jeff Hadley. The project will run throughout Montrose Woods and Rock Creek subdivision. The method of installation will be directional boring and trenching with a vibratory plow. No open trenches shall be allowed. Staff recommendation is to approve conditional upon the following:

1. The applicant shall follow the general comments related to utility work, as stated in the Staff Report.
2. Any mechanical equipment shall be painted munsell green.

Mrs. Fidler said the plans stated the project will be bored so it needs to be bored.

Jennifer Fidler made a motion to accept the staff recommendation to approve conditional upon the following:

1. The applicant shall follow the general comments related to utility work, as stated in the Staff Report.
2. Any mechanical equipment shall be painted munsell green.

Hollie MacKellar 2nd the motion and the motion carried unanimously.

Lee Turner turned the meeting over to the Vice-Chair, George Roberds. Mr. Turner recused himself and left the room.

UR 16.11 Request of Fairhope Single Tax Corporation for 11.52.11 Utility Review and approval of the proposed Fairhope Library Parking Lot. The project will be located on the north side of the Fairhope Public Library between N. Bancroft Street and N. School Street. Mr. Smith gave the staff report saying 51 total spaces are proposed consisting of 2 handicap, 28 standard, and 21 compact spaces. Staff recommendation is to approve as requested. Mrs. Fidler stated she has been working with Troy Strunk of WAS Design. She said Mr. Strunk has designed the parking lot to have a park-like feel and has maximized tree preservation. Mrs. Fidler explained it will be a one-way drive aisle of pervious pavement and the Farmer's Market will still have room to operate.

Mayor Kant stated the City Council has agreed to work with Fairhope Single Tax on this project.

Mr. Roberds opened the floor to public comments. No one was present to speak.

Bernie Fogarty made a motion to accept the staff recommendation to approve as requested. Bob Clark 2nd the motion and the motion carried unanimously.

Having no further business, Bernie Fogarty made a motion to adjourn. Kevin Boone 2nd the motion and the motion carried unanimously. The meeting was adjourned at 5:42 PM.

Lee Turner, Chairman

Emily Boyett, Secretary