

The Planning Commission met Tuesday, September 18th, 2012 at 5:00 PM at the City Municipal Complex, 161 N. Section Street in the Council Chambers.

Present: George Roberds, Vice-Chair; Tim Kant; Jennifer Fidler; Bob Clark; Dick Charles; Gary Moore; Jonathan Smith, Planning and Building Director; Emily Boyett, Secretary; and Nancy Milford, Planner

Absent: Lee Turner, Chairperson; Debbie Quinn; and Jean Wilson

Vice-Chairperson George Roberds called the meeting to order at 5:00 PM and announced the meeting is being recorded. Mr. Roberds stated this is a special meeting to hear case SD 12.05 Battles Trace at the Colony.

Gary Moore stated he has a conflict of interest and left the room.

SD 12.05 Public hearing to consider the request of Point Clear Partners, LLC for preliminary plat approval of Battles Trace at the Colony, a 66-lot subdivision, Scott Hutchinson. The property is located on the northeast side of Battles Road (a.k.a. County Road 34) where Battles Road turns to the north. Nancy Milford gave the staff report saying the property is approximately 34.27 acres and is zoned TR (Tourism Resort) District and is in compliance with the TR District as approved by the City Council. Staff recommendation is to approve contingent upon the following conditions:

- 1) The submittal of restrictive covenants addressing all requirements listed in the TR District Ordinance, including but not limited to landscaping matter, wetland buffers, and lighting;
- 2) Submittal of a copy of the newly proposed buffer signage;
- 3) Applicants response submittal to City of Fairhope Horticulturist comments to include:
 - Section 3.02 of the Zoning Application (Exhibit A) regarding landscaping matters.
 - Landscaping Buffer requirements and stated restrictions within the buffer on the landscape plan.
 - Show the Heritage Oak Grove on submitted plans and the landscape plan.
- 4) All City supervisors shall have their comments satisfied prior to issuance of building permits;
- 5) Verification with 911 regarding street names;
- 6) A note shall be placed upon the plat stating the engineer's requirement for fire flow;
- 7) Revised drainage plans shall be submitted reflecting the removal of the aesthetic pond;
- 8) A wetlands delineation map shall be submitted;
- 9) Finished floor elevations shall be added to the plat.

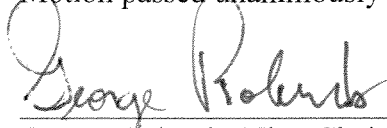
Mr. Clark asked if the drainage has been reviewed since the staff report was written and Ms. Milford responded no. Scott Hutchinson addressed the Commission on behalf of the applicant. He gave a PowerPoint presentation which showed existing subdivisions and houses that are similar to what they are proposing. He explained that the development will have narrow streets, the houses will be closer to the street and closer together, and the common areas are in the rear of the houses. Mr. Hutchinson stated they have

designed this development to maximize tree preservation and the large grove of oak trees will not be touched. He added that they are requesting to have private streets and to have the utilities placed under the road. Mr. Roberds opened the public hearing. Horace Gilbert of 6286 Houston Place asked how the trees will be saved if all these houses are built and he stated concerns with lighting. Mr. Hutchinson stated that trees will have to be cut in order to build homes but the design insures that no Heritage Oaks will be lost. He stated the lighting will be no different than that found in any typical subdivision. Having no one else present to speak, Mr. Roberds closed the public hearing. Mr. Charles said the layout seems crowded and he had concerns with the density and asked how additional cars will be accommodated. Mr. Kant stated this design is similar to Savannah Square in Rock Creek and he thinks it will be an asset to the City. He said he does not see a problem with the utilities being located under the road if the roads are private and he said they need to verify the required width to accommodate garbage and fire trucks. Mrs. Fidler stated a lot of the trees are being saved but most importantly the Heritage Oaks and this is the best scenario especially with the utilities in the road. Mr. Clark stated he wants to make sure the streets are wide enough for the trucks and that the drainage is reviewed and approved by the appropriate departments. Mr. Smith stated staff will ensure the drainage is reviewed prior to issuance of any permits. Mr. Charles asked about the removal of the pond on the south corner. Mr. Hutchinson stated the pond in the southwest corner was just for aesthetics and the pond on the north end of the property is the one for drainage. Tim Kant moved to approve the request and allow the utilities be installed under the road and to accept the staff recommendation approve contingent upon the following conditions:

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Dick Charles 2nd the motion and the motion carried unanimously.

Having no further business, Dick Charles moved to adjourn and was 2nd by Bob Clark.
Motion passed unanimously and the meeting was duly adjourned at 5:40 PM.


George Roberds, Vice-Chairperson


Emily Boyett, Secretary