

The Planning Commission met Monday, March 5, 2018 at 5:00 PM at the City Municipal Complex, 161 N. Section Street in the Council Chambers.

Present: Lee Turner, Chairperson; Art Dyas; Rebecca Bryant; Charles Johnson; Richard Peterson; Ralph Thayer; Hollie MacKellar; Tim Simmonds; Jay Robinson; Wayne Dyess, Planning Director; Buford King, Planner; Nancy Milford, Planner; Emily Boyett, Secretary; and Ken Watson, City Attorney

Absent: none

Chairman Turner called the meeting to order at 5:04 PM and announced the meeting is being recorded.

The minutes of the January 4, 2018 were considered. Art Dyas made a motion to accept the minutes as written. Ralph Thayer 2nd the motion and the motion carried unanimously.

The minutes of the February 5, 2018 were considered. Art Dyas made a motion to accept the minutes as written. Ralph Thayer 2nd the motion and the motion carried with one abstention by Rebecca Bryant.

ZC 18.02 Public hearing to consider the request of Sawgrass Consulting, LLC to establish initial zoning of PUD (Planned Unit Development) conditional upon annexation into the City of Fairhope, Ercil Godwin. The property is located on the north side of County Road 44 (a.k.a. Twin Beech Road) just west of State Hwy. 181, to be known as Twin Beech Estates PUD. Mr. King stated the applicant has requested to continue the case until the April meeting.

ZC 18.03 Public hearing to consider the request of Dewberry/Preble-Rish, LLC to establish initial zoning of PUD (Planned Unit Development) conditional upon annexation into the City of Fairhope, Steve Pumphrey. The property is located at the south end of Hemlock Drive, to be known as The Village at Firethorne. Mr. Dyess gave the staff report saying this request is an amendment to the existing Firethorne PUD but will also require an annexation of the property. The applicant is seeking conditional annexation and rezoning of 23 parcels comprising approximately 6.28 acres from unzoned Baldwin County to a Planned Unit Development (PUD). The requested PUD for the subject property reflects the dimensional standards shown above. In addition, 5' rear and side setbacks are required for any accessory structures located on the residential lots within the PUD. Any accessory structures must be behind the rear building line of the principle structure, maintain 5' separation from the principle structures, and have lot coverage of no more than 25% of the required rear yard for each lot. The applicant provided a project narrative for the requested PUD amendment which explained the proposed development is essentially an extension of the existing Firethorne PUD, which contains "single family residential" as the use type. No other use types are above and beyond single family residential is indicated in the applicant's PUD request narrative. The subject application requests 23 lots on 6.28 acres, for a development density of 3.66 units per acre. Staff recommends the requested conditional annexation to Planned Unit Development (PUD) be **APPROVED**.

Mr. Pumphrey addressed the Commission saying this is a pocket area and was originally acquired with the rest of the Firethorne property to be used for drainage. He said the applicant would like to development this site for a different demographic from the rest of the property.

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

Dr. Thayer asked when do we re-examine the entire PUD and Mr. Dyess responded there is no "sunset clause" for PUDs but this particular development is under construction and multiple phases have been completed. Mrs. MacKellar said she thought there was a 5-year expiration established for PUDs after the Fly Creek PUD. Mrs. Boyett explained there was discussion, but no amendment was ever passed. Mr. King expounded on the compatibility analysis saying it is modeled by development potential. Mr. Peterson noted this proposal is at the back of the existing development and there is no connectivity to North Village at Stone Creek. Mr. Dyess responded there is no connectivity due to wetlands south of the subject property. Mrs. MacKellar asked the square footage of the homes and Mr. Pumphrey answered 1,800 to 2,400 square feet.

Art Dyas made a motion to accept the staff recommendation to approve the request.

Charles Johnson 2nd the motion and the motion carried with the following vote: AYE - Lee Turner, Art Dyas, Rebecca Bryant, Charles Johnson, Richard Peterson, Ralph Thayer, Hollie MacKellar, Tim Simmonds, and Jay Robinson. NAY - none.

SD 18.06 Public hearing to consider the request of Dewberry/Preble-Rish, LLC for plat approval of Kendrick Place, a 2-lot minor subdivision, Steve Pumphrey. The property is located on the west side of Bayview Street, directly across from Atkinson Lane. Ms. Milford gave the staff report saying The total tract of the subject property is approximately 2.88 acres. Lot 1, is approximately 1.40 acres and lot 2 is approximately 1.49 acres. The applicant is requesting a simple two lot minor subdivision. The subject property has an existing drive and brick wall. The property is owned by the Thomas Hospital Foundation. The property is zoned R-2 Medium Density Single Family Residential District. The side setbacks have increased to meet the ISO requirements, due to the low fire flow in the area. Staff recommends approval of the application contingent upon the following conditions:

1. Planning Commission approval of the sidewalk exemption. (Staff supports exemption of a sidewalk in this area. There is merit to the exception due to the lack of existing sidewalk connections and none are anticipated.)
2. The Director of Operations recommends the applicant be responsible for the cost of water and sewer service to the additional lot, as there will be some road cutting and additional expense getting the service to the new lot.
3. The applicant shall provide the engineer's recommendations and engineer's signature on the flow model conclusions.
4. A 7.5' X 285' utility easement, as shown in the attachment, will be required from each lot for service.

Mr. Pumphrey addressed the Commission saying the applicant is agreeable to the conditions. Mrs. MacKellar asked if the oak trees will be preserved and Mr. Turner stated there is no requirement for tree preservation on residential property. Mrs. Bryant said she would like to see the trees saved and Mr. Dyess stated staff would support any variance for tree preservation. Dr. Thayer questioned the flood zone information and Mr.

Dyas said the site is probably 72' up the bluff. Mrs. MacKellar asked about erosion requirements and Mr. Dyess stated it is monitored.

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

Art Dyas made a motion to accept the staff recommendation to approve contingent upon the following conditions:

1. Planning Commission approval of the sidewalk exemption. (Staff supports exemption of a sidewalk in this area. There is merit to the exception due to the lack of existing sidewalk connections and none are anticipated.)
2. The Director of Operations recommends the applicant be responsible for the cost of water and sewer service to the additional lot, as there will be some road cutting and additional expense getting the service to the new lot.
3. The applicant shall provide the engineer's recommendations and engineer's signature on the flow model conclusions.
4. A 7.5' X 285' utility easement, as shown in the attachment, will be required from each lot for service.

Rebecca Bryant 2nd the motion and the motion carried with the following vote: AYE - Lee Turner, Art Dyas, Rebecca Bryant, Charles Johnson, Richard Peterson, Ralph Thayer, Hollie MacKellar, and Jay Robinson. NAY – none. Abstention - Tim Simmonds.

Old / New Business

SD 17.31 Request of HMR, LLC for 180-day plat extension for Camilla at the Colony, Tim Lawley. Ms. Milford stated the applicant has requested the extension to allow for County permitting, construction for the minor improvements, and City inspection/approval.

Art Dyas made a motion to approve the 180-day plat extension. Ralph Thayer 2nd the motion and the motion carried with the following vote: AYE - Lee Turner, Art Dyas, Rebecca Bryant, Charles Johnson, Richard Peterson, Ralph Thayer, Hollie MacKellar, Tim Simmonds, and Jay Robinson. NAY – none.

Planning and Community Engagement Meeting, Wayne Dyess. Mr. Dyess stated the meeting will be held on Wednesday, March 14, 2018, at the Fairhope Public Library in the Giddens Conference Center from 3:00 to 5:30PM. He said the agenda will include a presentation on the City's new on-line map viewer, LID amendments, subdivision bonds and sidewalks, compatibility analysis, and utilities/infrastructure.

Having no further business, Ralph Thayer made a motion to adjourn. Rebecca Bryant 2nd the motion and the motion carried unanimously. The meeting was adjourned at 5:40PM.



Lee Turner, Chairman



Emily Boyett, Secretary