

The Planning Commission met Monday, April 2, 2018 at 5:00 PM at the City Municipal Complex, 161 N. Section Street in the Council Chambers.

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

Chairman Turner called the meeting to order at 5:03 PM and announced the meeting is being recorded.

The minutes of the March 5, 2018 were considered. Ralph Thayer made a motion to accept the minutes as written. Charles Johnson 2<sup>nd</sup> the motion and the motion carried unanimously.

**ZC 18.04 Public hearing to consider the request of Dewberry, LLC for a PUD (Planned Unit Development) Amendment to the Old Battles Village PUD, Steven Pumphrey.** The property is located on the north side of Battles Road, between Section Street and Greeno Road. Mr. Dyess gave the staff report saying the applicant is seeking to amend Phase 4 of the Old Battles Village PUD Master Plan. Phase 4 originally contained 40 total lots, 21 lots on approximately 14.2 acres in the west side of Phase 4 and 19 lots in the east side of phase 4. The requested amendment to phase 4 is primarily in the west side. The west side proposed amendment contains 36 lots on 14.9 acres from the originally approved 21 lots. The east side amendment to Phase 4 contains minor adjustments to lot widths. The west side of Phase 4 of the existing PUD consists of 21 lots on approximately 15.48 acres, resulting in a density of approximately 1.63 units per acre.

The proposed PUD amendment reconfigures the lots sizes of the west side of Phase 4, resulting in 36 lots on 14.9 acres for a proposed density of 2.42 units per acres. In order to evaluate the proposed development density created by the PUD amendment, the areas adjacent to subject property as well as subject property's surrounding neighborhood is evaluated in relation to the proposed density. The adjacent areas are located almost entirely within the Old Battles Village PUD, and the surrounding neighborhood consists almost entirely of areas within the Old Battles Village Master Plan, or undeveloped unzoned properties or unzoned properties utilized for single family residential purposes. The requested development density of Phase 4 (west) is 2.42 units per acre, less than the 2.63 unit per acre weighted average from the buffer area, and therefore the requested PUD amendment attains macro compatibility with the adjacent areas and surrounding neighborhood.

The macro compatibility of adjacent properties were reviewed by examining lot size and lot width. The use remains single family detached which is the same as the current master plan PUD. The smallest lot size is 62x140 which comprises 8,400 sq. Ft. The proposed Phase 4 amendment includes several common area strips separating dissimilar lot sizes. Additionally, the northern boundary of Phase 4 includes a large common area which includes a wetland and wooded areas. These physical buffers are considered compatibility mitigation measures creating a buffering effect, maintaining micro compatibility with the adjacent areas.

The subject property (Phase 4) comprising the request for PUD amendment is a component of the Old Battles Village Master Plan, approved by the Fairhope City Council on August 22, 2016. The subdivision preliminary plat process has not been initiated by the applicant for subject property and lots within subject property are only reflected on the master plan. An isolated wetland exists within the common area within phase 4, and the master plan described above reflects lots that do not encroach upon the isolated wetland. Subject application depicts lots encroaching upon the isolated wetland, however subject application is a PUD amendment and does not include a preliminary plat for phase 4. In order to address the issue related to the isolated wetland, staff recommends **approval** of the PUD amendment with the following conditions:

1. Approval of the preliminary plat of Phase 4 of Old Battles Village
  - a. Non-approval of improvements/modifications to the isolated wetland in Phase 4 will require re-submission and re-approval of the Phase 4 PUD amendment.

Mr. Pumphrey addressed the Commission saying the proposed amendment is to allow a small pocket of small lots. He explained the original design avoided the wetlands, but the developer now wants to mitigate the wetlands and move the pond to the east. He said the first step is the PUD amendment and then the preliminary plat. He said the same builder will be constructing these homes and they will not be cheaper, just smaller. Mr. Pumphrey explained this site was chosen due to the proximity to the amenities but nothing else in the PUD is changing.

Mr. Turner opened the public hearing.

Jerry Brand of Lot 134 – He stated he purchased his lot because the master plan showed nothing behind it but common area and now there will be houses with no buffer. He said he does not see a benefit to changing the master plan. Dr. Thayer asked if the developer has met with the neighborhood property owners and Mr. Brand responded no.

Gary Baker of Lot 128 – He stated concerns with the builder, traffic, and location of the smaller homes being next to existing homes that were bought based off the original master plan.

Carol Wilson of 489 Bartlett Avenue – She said Truland Homes had a representative at the March POA meeting that told them about the amendment. She noted concerns with the impact to the amenities and the size of the homes. She asked if they will be single family homes and Mr. Dyess responded yes. Ms. Wilson stated she is a fan of Truland and they have treated her well.

Shanen Taylor of 127 Brandywine – She stated she closed on her home in March and did not receive a letter for this meeting. She noted concerns with the wetland maintenance and fencing for the area. She said there is a better place on the property to put this besides next to existing homes. Mrs. Boyett stated 175 letters were mailed in accordance with the State Law and the current tax records. Mr. Pumphrey stated the developer sent a letter to the POA and attended their meeting to notify them of the proposal.

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

Dr. Thayer asked what the square footage is now versus what is proposed. Mr. Pumphrey stated the current homes are 2400 to 3000 sq.ft. and the proposed is 1800 sq.ft. Mr.

Turner asked how filling the wetlands and adding 14 lots better the city. Mr. Pumphrey



said they are not just filling the wetlands but moving the pond. He explained this will only increase the overall density from 2.07 to 2.17 units per acre and will provide a mix of single family housing that the city needs. Mr. Dyas asked if any of the additional phases will also change and Mr. Pumphrey responded no, there are no plans to make any more changes. Mr. Dyas stated the Commission does not have any control over the size of the houses. Mr. Dyess noted most of the concerns are from the adjacent properties and he suggested removing lot 216 to create a larger buffer between the proposed lots and the existing houses. Mr. Turner suggested removing 7 lots or moving it to another portion of the development that doesn't already have homes built. Mr. Pumphrey requested the application be tabled so he can go back to the developer with the suggestions. Dr. Thayer suggested the developer meet with the homeowners as well.

Art Dyas made a motion to table the request until the May meeting. Ralph Thayer 2<sup>nd</sup> the motion and the motion carried unanimously with the following vote: AYE – Lee Turner, Art Dyas, Charles Johnson, Richard Peterson, Ralph Thayer, and Hollie MacKellar.  
NAY – none.

**SD 18.08 Public hearing to consider the request of Barton and Shumer Engineering, LLC for Multiple Occupancy Project approval of Cottage Lane – Fairhope, an 8-unit project, Chason Wachter.** The property is located on the southwest corner of the intersection of Bishop Road and Edwards Avenue. Mr. King gave the staff report saying the site is approximately 1.23 acres of B-4 zoned property with 8 units proposed. The application is limited to an MOP and does not request subdivision of lands or the creation of new lots or phases. In order to fulfill the final inspection requirements of Article IV, Section C.6.a. and b., as well as Article IV, Section D.4, staff recommends **approval** of the MOP request subject to the conditions below:

1. A pre-construction conference will be required prior to land disturbance;
  - a. Please revise drawing C3.0 to label type “A” silt fence prior to submission of “for permit” drawings.
  - b. Conduct ADEM registration as required by Article V, section F.6.
2. A “will-serve” letter from Fairhope Public Utilities for sewer service shall be submitted prior to land disturbance.
3. Acceptance of the waiver from 10 LID techniques.
4. Prior to the request for a certificate of occupancy for the first building constructed, a request for closeout inspection must be made to the Public Works Director for the inspection of improvements. Include in the request for closeout:
  - a. Maintenance Bond as required by Article IV, Section.D.1.a.
  - b. A fully-executed copy of the Operations and Maintenance (O&M) Plan and Agreement for maintenance of detention facilities and other storm water quantity and quality BMPs as required by Article V, Section F.3.a.(3)(a)(3).
  - c. Inspection of all MOP-applicable sections of Article IV, Section D. 1.b.(1) – (18).
  - d. Inspection of all MOP-applicable sections of Article VI, *Construction Standards* and Chapter 19 of the *City of Fairhope Code of Ordinances*, testing requirements.

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

Mrs. MacKellar asked if the development will be similar to Bay Pointe on Scenic 98 and Mr. Wachter replied yes, the units will be single family cottages.

Art Dyas made a motion to accept the staff recommendation to **approve** of the MOP request subject to the conditions below:

1. A pre-construction conference will be required prior to land disturbance;
  - a. Please revise drawing C3.0 to label type "A" silt fence prior to submission of "for permit" drawings.
  - b. Conduct ADEM registration as required by Article V, section F.6.
2. A "will-serve" letter from Fairhope Public Utilities for sewer service shall be submitted prior to land disturbance.
3. Acceptance of the waiver from 10 LID techniques.
4. Prior to the request for a certificate of occupancy for the first building constructed, a request for closeout inspection must be made to the Public Works Director for the inspection of improvements. Include in the request for closeout:
  - a. Maintenance Bond as required by Article IV, Section.D.1.a.
  - b. A fully-executed copy of the Operations and Maintenance (O&M) Plan and Agreement for maintenance of detention facilities and other storm water quantity and quality BMPs as required by Article V, Section F.3.a.(3)(a)(3).
  - c. Inspection of all MOP-applicable sections of Article IV, Section D. 1.b.(1) – (18).
  - d. Inspection of all MOP-applicable sections of Article VI, *Construction Standards* and Chapter 19 of the *City of Fairhope Code of Ordinances*, testing requirements.

Ralph Thayer 2<sup>nd</sup> the motion and the motion carried unanimously with the following vote: AYE – Lee Turner, Art Dyas, Charles Johnson, Richard Peterson, Ralph Thayer, and Hollie MacKellar. NAY – none.

Mr. Watson stated the LID waiver needs a separate vote.

Art Dyas made a motion to approve the LID waiver. Ralph Thayer 2<sup>nd</sup> the motion and the motion carried unanimously with the following vote: AYE – Lee Turner, Art Dyas, Charles Johnson, Richard Peterson, Ralph Thayer, and Hollie MacKellar. NAY – none.

**SD 18.09 Public hearing to consider the request of Myrtle F. Bung for plat approval of the Replat of Part of Block 53 of Magnolia Beach, a 2-lot minor subdivision.** The property is located on the southwest corner of the intersection of Pecan Avenue and Section Street. Mr. King gave the staff report saying the property consists of 6.655 acres total with 2 lots proposed. Lot 1 will be 1.324 acres and Lot 2 will be 5.279 acres. No new infrastructure is proposed by subject application. Subject property is located in the City of Fairhope M-1 Light Industrial zoning district. Staff recommends **approval** of the minor subdivision application. Mr. Dyas asked if the existing residence allowed to be rebuilt if destroyed by natural disaster and Mrs. Boyett responded yes.

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



Richard Peterson made a motion to accept the staff recommendation to **approve** of the minor subdivision application.

Charles Johnson 2<sup>nd</sup> the motion and the motion carried unanimously with the following vote: AYE – Lee Turner, Art Dyas, Charles Johnson, Richard Peterson, Ralph Thayer, and Hollie MacKellar. NAY – none.

**SD 18.10 Public hearing to consider the request of Barton & Shumer Engineering, LLC for plat approval of the Resubdivision of Lot 2, Young Oaks Subdivision, a 2-lot minor division, David Cooper.** The property is located on the north side of Nichols Avenue, adjacent to Hawthorne Glenn, Phase 2, at 8407 Nichols Avenue. Ms. Milford gave the staff report saying the property is zoned R-3 PGH and is approximately 1.82 acres with 2 lots proposed.

Staff recommends approval of the application contingent upon the following conditions:

- 1) Verification that wetland buffer signs have been installed and shall be located on the plat. Buffer signage shall be permanent.
- 2) The applicant shall provide a fire hydrant as per Article VI Section G.
- 3) Correct the scribner's errors in the site data table, as specified in the staff report. Also, the applicant shall add the owners name and address to the plat.

Mr. Turner opened the public hearing.

Margaret Lamia of 271 Hawthorne Circle – She asked if the trees will be maintained on the property and if sidewalks will be added on Nichols Avenue. She also asked if access will be from Hawthorne Circle for Lot 2B. Mr. Cooper stated he wants to preserve as many trees as possible and they plan to access the property from both Nichols Avenue and Scarlett Avenue. He said he has not had conversations regarding sidewalks. Having no one else present to speak, Mr. Turner closed the public hearing.

Mr. Turner stated he wants to have sidewalks on Nichols Avenue.

Art Dyas made a motion to accept the staff recommendation to approval of the application contingent upon the following conditions:

- 1) Verification that wetland buffer signs have been installed and shall be located on the plat. Buffer signage shall be permanent.
- 2) The applicant shall provide a fire hydrant as per Article VI Section G.
- 3) Correct the scribner's errors in the site data table, as specified in the staff report. Also, the applicant shall add the owners name and address to the plat.
- 4) Sidewalks shall be installed along Nichols Avenue.

Ralph Thayer 2<sup>nd</sup> the motion and the motion carried unanimously with the following vote: AYE – Lee Turner, Art Dyas, Charles Johnson, Richard Peterson, Ralph Thayer, and Hollie MacKellar. NAY – none.

**SD 18.11 Public hearing to consider the request of S.E. Civil Engineering, LLC for plat approval of Van Antwerp Park West, a 3-lot minor subdivision, Larry Smith.** The property is located on the west side of Pensacola Avenue, between Tensaw Avenue and N. Mobile Street. Mr. King gave the staff report saying the property is approximately 0.8 acres zoned R-2 Medium Density Single Family Residential District with 3 lots proposed. Staff recommends **approval** of the subdivision request subject to the conditions below:

- 1) Submission of a fire flow model.
- 2) Submission of "will serve" letters for all utilities.

- 3) Sidewalks shall be constructed at time of home construction on subject property. Submit standard sidewalk details with building plans for homes to be constructed on the subject property.
- 4) Extension of final plat recording to 180 days.

Mr. Turner asked if the City Attorney had any concerns with these conditions and Mr. Watson responded no, he has given staff input for these conditions.

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

Art Dyas made a motion to accept the staff recommendation for **approval** of the subdivision request subject to the conditions below:

- 1) Submission of a fire flow model.
- 2) Submission of “will serve” letters for all utilities.
- 3) Sidewalks shall be constructed at time of home construction on subject property. Submit standard sidewalk details with building plans for homes to be constructed on the subject property.
- 4) Extension of final plat recording to 180 days.

Ralph Thayer 2<sup>nd</sup> the motion and the motion carried unanimously with the following vote: AYE – Lee Turner, Art Dyas, Charles Johnson, Richard Peterson, Ralph Thayer, and Hollie MacKellar. NAY – none.

Hollie MacKellar recused herself and left the dais.

**SD 18.12 Public hearing to consider the request of S.E. Civil Engineering, LLC for Multiple Occupancy Project approval of Montrose Townhomes, an 18-unit project, Larry Smith.** The property is located on the south side of Parker Road, directly across from Viale Trentino. Mr. King gave the staff report saying the property is approximately 4.05 acres zoned RMF-6 in Baldwin County with 18 units proposed. Staff recommends **approval** of the MOP request subject to the conditions below:

- 1) A pre-construction conference will be required prior to land disturbance;
- 2) A fire flow model shall be submitted prior to land disturbance; and
- 3) A “will-serve” letter from Fairhope Public Utilities for sewer service shall be submitted prior to land disturbance (letter forthcoming at the time of this writing).
- 4) Prior to the request for a certificate of occupancy for the first building constructed, a request for closeout inspection must be made to the Public Works Director for the inspection of improvements. Include in the request for closeout:
  - Maintenance Bond as required by Article IV, Section.D.1.a.
  - Submit a fully-executed copy of the Operations and Maintenance (O&M) Plan and Agreement for maintenance of detention facilities and other storm water quantity and quality BMPs as required by Article V, Section F.3.a.(3)(a)(3)
  - All MOP-applicable sections of Article IV, Section D. 1.b.(1) – (18)
  - All MOP-applicable sections of Article VI Construction Standards

Mr. Turner opened the public hearing.

Steve Hanson of 7322 JV Cummings Drive – He stated concerns with drainage from the subject property coming through the adjacent neighborhood. He asked how the drainage will be handled and where it will be discharged.



Gordon Cooper of 22651 Alice Lane – He stated the Flying Creek Subdivision has private streets and drainage system. He said the drain pipes have already had to be repaired once and this development will put even more water on their neighborhood. He stated the drainage system in Flying Creek is private and they do not want another development to tie into it.

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

Mr. Smith addressed the drainage comments saying there is an existing 27” pipe stubbed out for this site and it will be utilized with the existing inlets, as well as additional drainage structures, to pipe the water off the site. He stated the drainage system design meets the City’s requirements. Mr. Dyess stated this property is in the County but also in the City’s extraterritorial jurisdiction. He explained the Commission is limited in its review to the drainage requirements in the Subdivision Regulations and the application meets those requirements. Mr. Peterson asked if the inlets are clean since the adjacent property is receiving the water and Mr. Smith responded no.

Art Dyas made a motion to accept the staff recommendation for **approval** of the MOP request subject to the conditions below:

- 1) A pre-construction conference will be required prior to land disturbance;
- 2) A fire flow model shall be submitted prior to land disturbance; and
- 3) A “will-serve” letter from Fairhope Public Utilities for sewer service shall be submitted prior to land disturbance (letter forthcoming at the time of this writing).
- 4) Prior to the request for a certificate of occupancy for the first building constructed, a request for closeout inspection must be made to the Public Works Director for the inspection of improvements. Include in the request for closeout:
  - Maintenance Bond as required by Article IV, Section.D.1.a.
  - Submit a fully-executed copy of the Operations and Maintenance (O&M) Plan and Agreement for maintenance of detention facilities and other storm water quantity and quality BMPs as required by Article V, Section F.3.a.(3)(a)(3)
  - All MOP-applicable sections of Article IV, Section D. 1.b.(1) – (18)
  - All MOP-applicable sections of Article VI Construction Standards

Ralph Thayer 2<sup>nd</sup> the motion.

Mr. Dyas asked when the County will hear this case and Mr. Smith responded Thursday, April 5, 2018. Mr. Dyas suggested the adjacent residents also attend the County meeting. He stated Flying Creek is in the City and we need to protect our residents. Mr. Watson explained an easement would be required for the drainage to be going into a private system. Mr. Dyas said originally the same developer designed the subject property and the Flying Creek Subdivision and probably built the system to handle both sites. Mr. Watson suggested the application be tabled to work out the drainage or verify an easement.

Art Dyas amended his motion to include the following condition:

- 5) An easement shall be required for stormwater off this development to Fly Creek.
- Ralph Thayer amended his 2<sup>nd</sup> and the motion carried unanimously with the following vote: AYE – Lee Turner, Art Dyas, Charles Johnson, Richard Peterson, and Ralph Thayer. NAY – none.

Hollie MacKellar returned to the dais.

**SD 18.13 Public hearing to consider the request of Dewberry, LLC for Final plat approval of The Verandas, Phase 2, a 45-lot subdivision, Steve Pumphrey.** The property is located on the south side of State Hwy. 104 and the west side of Lawrence Road. Ms. Milford gave the staff report saying the property is approximately 12.98 acres and is unzoned in Baldwin County. Staff recommendation is to approve with the following conditions:

1. A completed final punch list meeting the approval of the City of Fairhope Department Supervisors.
2. Documentation from Baldwin County regarding the removal of the sidewalk on Lawrence Road.
3. The applicant shall submit the required agreements, financial guarantees and signed engineer's cost estimate and all documents shall meet the approval requirements of the City of Fairhope.
4. Richard Johnson's, Director of Public Works, approval of the storm sewer video and documents.
5. Richard Peterson's, Director of Operations, approval of all water and sewer submittals.

Mr. Pumphrey stated the County did not want a sidewalk along Lawrence Road because of the existing ditch. He added there are sidewalks along all the interior roads and connect to St. Hwy. 104. Mr. Turner explained he is big proponent for sidewalks being installed at the time of construction because they are much harder after the fact. Mr. Turner opened the public hearing. Having no one present to speak, Mr. Turner closed the public hearing.

Hollie MacKellar made a motion to accept the staff recommendation to approve with the following conditions:

1. A completed final punch list meeting the approval of the City of Fairhope Department Supervisors.
2. Documentation from Baldwin County regarding the removal of the sidewalk on Lawrence Road.
3. The applicant shall submit the required agreements, financial guarantees and signed engineer's cost estimate and all documents shall meet the approval requirements of the City of Fairhope.
4. Richard Johnson's, Director of Public Works, approval of the storm sewer video and documents.
5. Richard Peterson's, Director of Operations, approval of all water and sewer submittals.

Art Dyas 2<sup>nd</sup> the motion and the motion carried unanimously with the following vote: AYE – Art Dyas, Charles Johnson, Ralph Thayer, Lee Turner, Hollie MacKellar, and Richard Peterson. NAY – none.

**SR 18.03 Request of HMR, LLC for Site Plan approval of Century Bank, Doug Bailey.** The property is located on the northwest corner of Edwards Avenue and N. Greeno Road, at 861 Edwards Avenue. Ms. Milford gave the staff report saying the property is approximately .87 acres and is zoned B-1 Local Shopping District. Staff recommends **approval** of the application contingent upon the following conditions:

- 1) The applicant shall note the required landscape buffers in the site data table.
- 2) The applicant shall provide a screening detail of the dumpster and mechanical equipment shall be provided.



- 3) The applicant shall provide the required 5 shrubs every 25 linear feet, unless otherwise interpreted.
- 4) Approval of the drainage by Richard Johnson. The LID narrative and justification shall be provided.
- 5) 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.)
- 6) Any proposed lighting shall be in compliance with the City of Fairhope Zoning Ordinance.
- 7) A fence shall be constructed on the west side of the subject property.

Mr. Turner stated he would like to see a sidewalk installed at the time of construction. Art Dyas made a motion to accept the staff recommendation for **approval** of the application contingent upon the following conditions:

- 1) The applicant shall note the required landscape buffers in the site data table.
- 2) The applicant shall provide a screening detail of the dumpster and mechanical equipment shall be provided.
- 3) The applicant shall provide the required 5 shrubs every 25 linear feet, unless otherwise interpreted.
- 4) Approval of the drainage by Richard Johnson. The LID narrative and justification shall be provided.
- 5) A sidewalk shall be constructed along the rights-of-way.
- 6) Any proposed lighting shall be in compliance with the City of Fairhope Zoning Ordinance.
- 7) A fence shall be constructed on the west side of the subject property.

Charles Johnson 2<sup>nd</sup> the motion and the motion carried unanimously with the following vote: AYE – Art Dyas, Charles Johnson, Ralph Thayer, Lee Turner, Hollie MacKellar, and Richard Peterson. NAY – none.

**UR 18.02 Request of AT&T for 11.52.11 Utility Review and approval of the proposed installation of approximately 6,780 linear foot of fiber optic cable, Wade Mitchell.** The project will run throughout Rock Creek, Phases 1 and 2, and Sandy Ford, Phases 1, 2, and 3. Mr. King gave the staff report saying no open trenches shall be allowed. Directional boring shall be used in sensitive areas, such as under roads, in proximity to trees, on finished lots, etc. He noted the applicant has sent letters to the property owner's associations for both subdivisions and provided a point of contact for calls and concerns. 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) All mechanical and locator equipment shall be painted Munsell green.
- 3) Areas of proposed construction requiring utility location by City of Fairhope Public Utilities shall be marked with white paint prior to requesting a locate ticket from Alabama One Call.
- 4) Applicant's contractor shall follow the utility location phasing procedure described in the March 8, 2018 narrative provided by AT&T.
- 5) Applicant and applicant's contractor shall follow the *Right of Way Installation Permitting and Work Procedures* document provided by the Building Official.

Richard Peterson 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) All mechanical and locator equipment shall be painted Munsell green.
- 3) Areas of proposed construction requiring utility location by City of Fairhope Public Utilities shall be marked with white paint prior to requesting a locate ticket from Alabama One Call.
- 4) Applicant's contractor shall follow the utility location phasing procedure described in the March 8, 2018 narrative provided by AT&T.
- 5) Applicant and applicant's contractor shall follow the *Right of Way Installation Permitting and Work Procedures* document provided by the Building Official.

Ralph Thayer 2<sup>nd</sup> the motion and the motion carried unanimously with the following vote: AYE – Art Dyas, Charles Johnson, Ralph Thayer, Lee Turner, Hollie MacKellar, and Richard Peterson. NAY – none.

### **Old / New Business**

**Planning Commission Worksession** – Mr. Dyess stated there will be Planning and Community Engagement Meeting worksession follow-up on June 4, 2018, at 3:30-4:30 PM in the Council Chambers.

Having no further business, Ralph Thayer made a motion to adjourn. Art Dyas 2<sup>nd</sup> the motion and the motion carried unanimously. The meeting was adjourned at 7:13 PM.



Lee Turner, Chairman



Emily Boyett, Secretary