

The Planning Commission met Monday, January 7, 2019 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; Hollie MacKellar; Richard Peterson; Clarice Hall-Black; Jack Burrell; Wayne Dyess, Planning Director; Buford King, Planner; Nancy Milford, Planner; Emily Boyett, Secretary; and Ken Watson, City Attorney

Absent: Ralph Thayer and Mike Jeffries, Planning Technician

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

The minutes of the December 3, 2018 meeting were considered, and Richard Peterson made a motion to accept the minutes as corrected. Rebecca Bryant 2nd the motion and the motion carried unanimously with the following vote: AYE – Art Dyas, Rebecca Bryant, Charles Johnson, Lee Turner, Hollie MacKellar, Richard Peterson, Clarice Hall-Black, and Jack Burrell. NAY – none.

Storm Water Management Program Plan (SWMPP) Review and Approval, Kim Burmeister. Mrs. Burmeister stated the City operates under Municipal Separate Storm Sewer System (MS4) Phase II General Permit Number ALR040040. The SWMPP is submitted yearly and is a permit requirement. Assessment and public review of this plan is also a requirement and is specified in the current plan as being evaluated by the Planning Commission. The Commission watched a MS4 video. Mrs. Burmeister stated the video is on the City's website as well as the SWMPP plan. Mrs. Bryant said this is good information but asked what's next. Mrs. Burmeister stated issues and concerns are reported and not ignored. She referenced the NEP website and Mr. Dyess explained some areas are multi-jurisdictional. He stated there is no zoning in several areas and it is difficult to regulate those areas. Mr. Turner asked if there have been any major changes and Mrs. Burmeister responded no. Mr. Dyas questioned manholes in Fly Creek and asked if there have been any overflows and Mr. Peterson stated he is not aware of any overflows. Mr. Dyas asked if the streams are tested and Mr. Peterson responded monthly testing is done. Mrs. Bryant asked how citizens report issues they see, and Mrs. Burmeister said to report any concerns to Code Enforcement. Richard Peterson made a motion to accept the Storm Water Management Program Plan as presented. Jack Burrell 2nd the motion and the motion carried unanimously with the following vote: AYE – Art Dyas, Rebecca Bryant, Charles Johnson, Lee Turner, Hollie MacKellar, Richard Peterson, Clarice Hall-Black, and Jack Burrell. NAY – none.

SD 19.03 Public hearing to consider the request of AAC Reality, LLC for approval of The Highlands at Fairhope Village, a 77-unit Multiple Occupancy Project, Andy Bobe. The property is located on the north side of Fly Creek Avenue, east of the Publix Shopping Center. Mr. King gave the staff report saying the property is 3 lots and approximately 31.67 acres with 77 townhomes proposed. Staff recommendation is to approve with the following conditions:

- 1) *Article IV, Section C.1 Two (2) copies of the preliminary plat.* Submission of a routine re-plat of The Resubdivision of Lot 6, Phase 2 of Fairhope Village, a

PUD, to show utility easements for all utilities installed to provide service to the development. The re-plat will be submitted once all utilities are installed on lot 6A as well as a second re-plat once all utilities are installed on lot 6E. The City of Fairhope reserves the right to modify the submission requirements of this closeout item at the direction of the Planning Director.

- 2) *Article IV, Section C.1.b.(13) and Article V, Section D.5.a.(9) Tree protection plan.* Prior to land disturbance the tree protection detail on drawing LP 203 shall be revised to reflect chain link tree protection fencing as required by ordinance 1444, and a copy of this detail shall be added to construction drawing C1, clearing and grubbing plan. Further, prior to land disturbance buffer zone landscaping required by Ordinance 1444 shall be reflected on the landscape plans for the northern section of lot 6A bordering the RA County-zoned areas as required by ordinance 1444.
 - a. *Article V, Section F.3.a.(3)(a)(2) Storm Water Standards*
Indicate the tree protection fencing for the wilderness area on the “for construction” drawings included with the land disturbance permit requests, utilizing one of the options allowed by the Code Enforcement Officer: double Type “A” silt fence, or single type “A” silt fence combined with orange mesh construction fence.
 - b. Ordinance number 1444 Section 20.5-3 *Planning Submission Steps for Approval 2) A landscape plan.* The tree protection detail in drawing LP203 shall be corrected to reflect chain link tree protection fencing. Further, buffer zone and perimeter tree landscaping shall be added to the revised landscape plans.
 - c. Ordinance number 1444 Section 20.5-4 *General Landscape Requirements 11. Buffer Zone Landscaping-Incompatible land use buffers.* A revised landscape plan shall be submitted prior to land disturbance indicating the buffer zone landscaping required by this section.
 - d. Section 20.5-6 *Tree Protection Requirements* Prior to land disturbance, revise the tree protection detail on drawing LP203 to reflect chain link tree protection fencing required by this section.
- 3) *Article IV, Section C.1.f. Phased Development*
Phases 1 and 3 as shown throughout the plans shall be constructed together as a single phase, with phases 2 and 4 re-numbered as appropriate. The construction sequencing of phases shall be at the developer’s discretion and reflected on the “for construction” plans submitted with the land disturbance permits required to develop the site.
- 4) *Article IV, Section D.1.b.(4) Street Trees*
Installation of ROW/street trees as required by landscape/tree ordinance 1444 for trees planted along a ROW shall be furnished and installed along the extension of Parker Road.
 - a. *Ordinance 1444 Section 20.5-4 General Landscape Requirements. 4. Required landscape adjacent to Public Right-of-Way A 48” tall visual screen shall be reflected on revised landscape plans and submitted prior to land disturbance.*

- 5) *Article IV, Section.D.1.b.(17) Maintenance Plan for maintenance of detention facilities.* Submit a copy of the fully-executed and recorded Operations and Maintenance (O&M) plan when 75% of the total buildings (lots 6A and 6E cumulative) to be installed at the Highlands at Fairhope Village have attained Certificate of Occupancy. The City of Fairhope reserves the right to modify the submission requirements of this closeout item at the direction of the Planning Director.
- 6) *Article IV, Section.D.1.b.(18) Engineer's Certificate*
Submit an as-built set of construction documents related to lots 6A, 6B, 6C, 6D, and 6E with the engineer's certificate reflected on the cover page, once 75% of the total buildings on Lots 6A and 6E (cumulative) constructed at the Highlands at Fairhope Village have attained Certificate of Occupancy. The City of Fairhope reserves the right to modify the submission requirements of this closeout item at the direction of the Planning Director.
- 7) *Article VI, Section D. Construction Standards - Sidewalks*
Sidewalks conforming to City of Fairhope standards shall be constructed on both sides of the extension of Parker Road prior to dedication of Parker Road to the City of Fairhope or Baldwin County. Drawing LP 500 does not currently reflect sidewalks on both sides of the Parker Road extension.
- 8) *Article VI, Section F. Construction Standards-Water System*
The 11-1/4 degree bends requested for removal by the water and sewer superintendent shall be replaced with two solid M.J. sleeves which will allow a deflection of 11.5 degrees.
- 9) *Article VI, Section G. Construction Standards-Fire Hydrants*
Revise drawings C5A and C5B to reflect a fire hydrants within 100' of the fire department connection (FDC) of all buildings containing fire sprinklers.
- 10) *Ordinance 1444 Section 20.5-3 Planning Submission Steps for Approval 4. Post-approval requirements.* The inspections required by this section shall be conducted on a "by phase" basis once 75% of the buildings to be installed on each phase of the Highlands (as indicated on construction drawing #C3A) have attained Certificate of Occupancy. Further, an as-built set of landscape plans indicating written approval by the landscape architect the plans are as-built as-designed shall be submitted as a component of each inspection required by this section. The City of Fairhope reserves the right to modify the submission requirements of this MOP closeout item at the direction of the Planning Director.
- 11) *Ordinance 1444 Section 20.5-4 General Landscape Requirements 5. Perimeter Landscaping* Prior to land disturbance, the required overstory perimeter trees shall be reflected on a revised landscape plan along the Northern property line bordering the single family residences as required by this section.
- 12) *Ordinance 1444 Section 20.5-4 General Landscape Requirements 12. Planting Requirements* Prior to land disturbance, revise the plant schedule on drawing LP500 to reflect calipers for all trees as required by this section.

Mr. Turner stated the site is a Planned Unit Development (PUD) and the Multiple Occupancy Project is an additional layer of review the City has for such projects. Mrs. Bryant asked is the re-phasing requested so they can stand alone and Mr. King responded yes. Mr. Burrell asked if the request is for 77 units or 90 and Mr. King explained the request is for 77 units but 90 units are allowed. Mr. Burrell and Mrs. MacKellar

questioned the wilderness area and amenities for the site and Mr. Dyess explained the wilderness area is part of the original PUD and has not been changed. Mr. King stated there is a clubhouse and pool as part of the apartments that are under construction. Mrs. Bryant asked if we are overtaxing our infrastructure and Mr. Peterson explained the City is upgrading the system but it will not be a quick process. He added the system can handle higher quantities, but it will cause the pumps to run more. Mrs. Bryant asked if the capacity of the sewer system has been evaluated and Mr. Peterson responded yes. Mr. Turner opened the public hearing. Having no one present to speak, Mr. Turner closed the public hearing.

Mr. Turner asked if Phases 1 and 3 could be combined and Mr. Bobe responded he will work with the city to combine the phases. He explained there are also 13 lots proposed as a future phase to the west. Mr. Turner asked if the greenspace will be shared with the apartments and Mr. Bobe responded yes, the clubhouse and pool will be available for both developments. Mrs. MacKellar asked the difference between townhomes and apartments and Mr. Bobe stated townhomes are single family and fee simple. Mr. Burrell asked if the 13 lots will have to come before the Commission and Mr. Bobe said yes. Mrs. Bryant asked if the landscape plan has been reviewed and Mr. King answered yes, Paul Merchant, Horticulturist, has reviewed and approved with conditions.

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

- 1) *Article IV, Section C.1 Two (2) copies of the preliminary plat.* Submission of a routine re-plat of The Resubdivision of Lot 6, Phase 2 of Fairhope Village, a PUD, to show utility easements for all utilities installed to provide service to the development. The re-plat will be submitted once all utilities are installed on lot 6A as well as a second re-plat once all utilities are installed on lot 6E. The City of Fairhope reserves the right to modify the submission requirements of this closeout item at the direction of the Planning Director.
- 2) *Article IV, Section C.1.b.(13) and Article V, Section D.5.a.(9) Tree protection plan.* Prior to land disturbance the tree protection detail on drawing LP 203 shall be revised to reflect chain link tree protection fencing as required by ordinance 1444, and a copy of this detail shall be added to construction drawing C1, clearing and grubbing plan. Further, prior to land disturbance buffer zone landscaping required by Ordinance 1444 shall be reflected on the landscape plans for the northern section of lot 6A bordering the RA County-zoned areas as required by ordinance 1444.
 - a. *Article V, Section F.3.a.(3)(a)(2) Storm Water Standards*
Indicate the tree protection fencing for the wilderness area on the “for construction” drawings included with the land disturbance permit requests, utilizing one of the options allowed by the Code Enforcement Officer: double Type “A” silt fence, or single type “A” silt fence combined with orange mesh construction fence.
 - b. Ordinance number 1444 Section 20.5-3 Planning Submission Steps for Approval 2) A landscape plan. The tree protection detail in drawing LP203 shall be corrected to reflect chain link tree protection fencing. Further, buffer zone and perimeter tree landscaping shall be added to the revised landscape plans.

- c. Ordinance number 1444 Section 20.5-4 General Landscape Requirements **11. Buffer Zone Landscaping-Incompatible land use buffers.** A revised landscape plan shall be submitted prior to land disturbance indicating the buffer zone landscaping required by this section.
 - d. Section 20.5-6 Tree Protection Requirements Prior to land disturbance, revise the tree protection detail on drawing LP203 to reflect chain link tree protection fencing required by this section.
- 3) Article IV, Section C.1.f. Phased Development
Phases 1 and 3 as shown throughout the plans shall be constructed together as a single phase, with phases 2 and 4 re-numbered as appropriate. The construction sequencing of phases shall be at the developer's discretion and reflected on the "for construction" plans submitted with the land disturbance permits required to develop the site.
- 4) Article IV, Section.D.1.b.(4)Street Trees
Installation of ROW/street trees as required by landscape/tree ordinance 1444 for trees planted along a ROW shall be furnished and installed along the extension of Parker Road.
 - b. Ordinance 1444 Section 20.5-4 General Landscape Requirements. 4.
Required landscape adjacent to Public Right-of-Way A 48" tall visual screen shall be reflected on revised landscape plans and submitted prior to land disturbance.
- 5) Article IV, Section.D.1.b.(17) Maintenance Plan for maintenance of detention facilities. Submit a copy of the fully-executed and recorded Operations and Maintenance (O&M) plan when 75% of the total buildings (lots 6A and 6E cumulative) to be installed at the Highlands at Fairhope Village have attained Certificate of Occupancy. The City of Fairhope reserves the right to modify the submission requirements of this closeout item at the direction of the Planning Director.
- 6) Article IV, Section.D.1.b.(18) Engineer's Certificate
Submit an as-built set of construction documents related to lots 6A, 6B, 6C, 6D, and 6E with the engineer's certificate reflected on the cover page, once 75% of the total buildings on Lots 6A and 6E (cumulative) constructed at the Highlands at Fairhope Village have attained Certificate of Occupancy. The City of Fairhope reserves the right to modify the submission requirements of this closeout item at the direction of the Planning Director.
- 7) Article VI, Section D. Construction Standards - Sidewalks
Sidewalks conforming to City of Fairhope standards shall be constructed on both sides of the extension of Parker Road prior to dedication of Parker Road to the City of Fairhope or Baldwin County. Drawing LP 500 does not currently reflect sidewalks on both sides of the Parker Road extension.
- 8) Article VI, Section F. Construction Standards-Water System
The 11-1/4 degree bends requested for removal by the water and sewer superintendent shall be replaced with two solid M.J. sleeves which will allow a deflection of 11.5 degrees.
- 9) Article VI, Section G. Construction Standards-Fire Hydrants
Revise drawings C5A and C5B to reflect a fire hydrants within 100' of the fire department connection (FDC) of all buildings containing fire sprinklers.

- 10) *Ordinance 1444 Section 20.5-3 Planning Submission Steps for Approval* **4. Post-approval requirements.** The inspections required by this section shall be conducted on a “by phase” basis once 75% of the buildings to be installed on each phase of the Highlands (as indicated on construction drawing #C3A) have attained Certificate of Occupancy. Further, an as-built set of landscape plans indicating written approval by the landscape architect the plans are as-built as-designed shall be submitted as a component of each inspection required by this section. The City of Fairhope reserves the right to modify the submission requirements of this MOP closeout item at the direction of the Planning Director.
- 11) *Ordinance 1444 Section 20.5-4 General Landscape Requirements* **5. Perimeter Landscaping** Prior to land disturbance, the required overstory perimeter trees shall be reflected on a revised landscape plan along the Northern property line bordering the single family residences as required by this section.
- 12) *Ordinance 1444 Section 20.5-4 General Landscape Requirements* **12. Planting Requirements** Prior to land disturbance, revise the plant schedule on drawing LP500 to reflect calipers for all trees as required by this section.

Richard Peterson 2nd the motion and the motion carried with the following vote: AYE – Art Dyas, Rebecca Bryant, Charles Johnson, Lee Turner, Richard Peterson, Clarice Hall-Black, and Jack Burrell. NAY – Hollie MacKellar.

SD 19.04 Public hearing to consider the request of Mac Walcott for Final plat approval of Van Antwerp Park, a 12-lot subdivision, Larry Smith. The property is located on the north side of Pensacola Avenue between N. Section Street and N. Mobile Street. Mr. King gave the staff report saying the property is approximately 11.29 acres and is zoned R-2 Medium Density Single Family Residential District with 12 lots proposed. Staff recommendation is to APPROVE with the following condition:

1. The stop signs shall be replaced with standard size signs.

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 with the following condition:

1. The stop signs shall be replaced with standard size signs.

Charles Johnson 2nd the motion and the motion carried unanimously with the following vote: AYE – Art Dyas, Rebecca Bryant, Charles Johnson, Lee Turner, Hollie MacKellar; Richard Peterson, Clarice Hall-Black, and Jack Burrell. NAY – none.

SD 19.05 Public hearing to consider the request of Mac Walcott for plat approval of Van Antwerp West, a 3-lot minor division, Larry Smith. The property is located on the south side of Pensacola Avenue between N. Section Street and N. Mobile Street. Mr. King gave the staff report saying the property is approximately .80 acres and is zoned R-2 Medium Density Single Family Residential District with 3 lots proposed. Staff recommendation is to APPROVE with the following condition:

1. Prior to recording, a note shall be added to the plat indicating that sidewalks shall be constructed at time of home construction on lots created by subject application. Standard sidewalk details shall be submitted with building plans for homes to be constructed on the lots created by subject application.

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 with the following condition:

1. Prior to recording, a note shall be added to the plat indicating that sidewalks shall be constructed at time of home construction on lots created by subject application. Standard sidewalk details shall be submitted with building plans for homes to be constructed on the lots created by subject application.

Jack Burrell 2nd the motion and the motion carried unanimously with the following vote: AYE – Art Dyas, Rebecca Bryant, Charles Johnson, Lee Turner, Hollie MacKellar; Richard Peterson, Clarice Hall-Black, and Jack Burrell. NAY – none.

ZC 19.01 Public hearing to consider the request of Dan Blackburn, on behalf of Michael Hollis, Leslie Hollis, Doris Faust Callies, and William Callies, III, to rezone properties from R-2 Medium Density Single Family Residential District to R-3 High Density Single Family Residential District. The property is located on the north side of Morphy Avenue and at the south end of Beecher Street. Mr. Dyess gave the staff report saying the property is approximately 4.3 acres and currently consists of 9 lots with 2 single family homes. He explained the site is in litigation and staff recommendation is to APPROVE. Mr. Turner stated the request is for higher density, but it is still a single family residential use. Mr. Burrell asked if conditions can be added to the approval and Mr. Watson suggested the Commission hear the case as if it is not in litigation. Mr. Burrell stated he would like to see ingress/egress restricted for this property to only be allowed from Morphy Avenue. Mr. Dyes stated staff would agree with Mr. Burrell's condition. Mr. Bryant asked if our connectivity regulations would require the connection and Mr. Dyas stated that is not part of the review at this time. Mrs. MacKellar questioned if the City can require the connection if it is not a public street. Mr. Peterson asked if the outcome of the litigation will dictate the access and Mr. Dyess responded it probably would.

Mr. Turner opened the public hearing.

Tommy Faust of 20397 Beecher Street – He said he is not against the request but would like to see the access restricted for any lots that are subsequently developed as part of this rezoning.

Mr. Burrell said he would like to see the northern parcel withdrawn from the request and Mr. Turner stated the request would have to be tabled and re-advertised for the lot to be removed.

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

Jack Burrell made a motion to table the request until the next Planning Commission meeting.

Charles Johnson 2nd the motion and the motion carried with the following vote: AYE – Rebecca Bryant, Charles Johnson, Lee Turner, Hollie MacKellar; Richard Peterson, Clarice Hall-Black, and Jack Burrell. NAY – Art Dyas.

ZC 19.02 Public hearing to consider the request of Henry and Barbara Brewster to establish an initial zoning of R-2 Medium Density Single Family Residential District conditional upon annexation into the City of Fairhope, Steve Pumphrey. The property is located on the north side of Twin Beech Road between County Road 13 and

Thompson Hall Road, to be known as Longbranch Subdivision. Mr. Dyess gave the staff report saying the site is approximately 18.71 acres and is currently unzoned in Baldwin County. The applicant is proposing a 28-lot subdivision and staff recommendation is to APPROVE. Mr. Turner stated there is a preliminary site plan submitted but it is not guaranteed and only the zoning is being reviewed at this time.

Mr. Turner opened the public hearing.

Alex Correa of 167 Sedgefield Avenue – He stated concerns with safety, speed, traffic, density, tree preservation, connectivity and drainage. He is in opposition of the request. Mr. Dyess explained connectivity is required by the City's Subdivision Regulations.

Sam Shoher of 171 Sedgefield Avenue – He stated his opposition to the request and asked what the benefit of more development is for the City. Mr. Burrell stated that without annexation the city provides the services without collecting any money.

Ben Midgett of 139 Sedgefield Avenue – He said connectivity is a major issue for safety and said the small lots will decrease the property values for Sedgefield. He also requested the heritage oaks at the end of Barndling Street be protected.

Erika Markioli of 383 Barndling Street – She said the property should be zoned R-1 and an overall plan for Fairhope is needed. She asked how the infrastructure will handle all the new development.

Alice Davis of 375 Barndling Street – She stated R-2 is not an appropriate zoning for this property. She said the lots are 3 to 1 in size and the drainage will be increased. She stated concerns with the loss of trees and decrease in property values.

Matt Reed of 147 Sedgefield Avenue – He asked how the City can annex unzoned property and Mr. Turner explained there are 3 ways to annex property, vote by citizens, legislative act, or individual petition.

Charles Turner of 19030 County Road 13 – He stated he was in favor of the request.

Richard Moor of 9150 Twin Beech Road – He stated concerns with drainage but said he is not opposed to the request.

John McCue of 19035 Thompson Hall Road – He stated he didn't want Sedgefield subdivision to be built but it was, and he would like to see this property zoned R-1.

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

Mr. Pumphrey addressed the Commission and the public comments saying the applicant is requesting a zoning based on the product they are selling and R-2 meets their needs.

He stated the smallest lot is actually 82' wide and most are 92' to 100' wide. Mr. Turner agreed the density proposed is not as high as the allowable density. Mr. Pumphrey explained if the Commission wants the property to be R-1 then the applicant will just stay in the county and develop the property. Mr. Burrell stated the difference in R-1 and R-2 is only 9 lots. He said Sedgefield residents will use this subdivision as a cut-thru more than these residents will use Sedgefield. Mrs. Bryant said she hates to see the trees cut and Mr. Pumphrey noted there is a buffer for tree protection. Mrs. Hall-Black noted her concerns with the drainage.

Jack Burrell made a motion to accept the staff recommendation to APPROVE.

Art Dyas 2nd the motion and the motion carried with the following vote: AYE – Art Dyas, Rebecca Bryant, Charles Johnson, Lee Turner, Clarice Hall-Black, and Jack Burrell.

NAY – Richard Peterson and Hollie MacKellar.

ZC 19.03 Public hearing to consider the request of Robert Evans, on behalf of Evans Family Trust of 2013, to rezone property from M-1 Light Industrial District to B-2

General Business District. The property is located on the northwest corner of the intersection of Nichols Avenue and Professional Park Drive, to be known as The Hope Farm. Ms. Milford gave the staff report saying the property is 2 parcels and is approximately 1.18 acres. The applicant is proposing a primary use of restaurant and bar with accessory uses of hydroponic shipping container gardens for produce for the restaurant, entertainment venue, and education facility. Staff recommendation is to APPROVE.

Mr. Turner opened the public hearing.

Rebecca Neira of 154 Hawthorne Circle – She did not have any objection to the rezoning request but noted there are drainage issues since fill dirt was brought in on Professional Park Drive for other buildings to be constructed. She questioned parking and noise as issues in conjunction with the brewery on Nichols Avenue.

Ken Graves of 120 Riley Court – He stated concerns with water run-off and noted there are already noise issues from the brewery and the gym.

Alfred Chance – He stated concerns with an entertainment use as part of a Professional Park. Mr. Turner explained the B-2 zoning district would be more restrictive and in line with the professional park than the current M-1 zoning. Mr. Dyess stated the parking, drainage, and building layout will be addressed at time of Site Plan review.

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

Mrs. Bryant stated she has met with Mr. Evans and discussed the project.

Mr. Burrell said no one has discussed this with the Industrial Development Board (IDB) and the M-1 areas are being chipped away and need to be conserved. He said other areas need to be looked at if the B-2 use is need for the business and not rezoning to accommodate one business. Mr. Dyess stated staff can take the request before the IDB and get their thoughts. Mrs. Bryant said this is a new type of business and there will be more of these coming in the future. Mr. Evans stated he has met with the neighboring properties and parking is a concern, but they will work with them to co-exist.

Jack Burrell made a motion to TABLE the request and bring it before the Industrial Development Board for review.

Clarice Hall-Black 2nd the motion and the motion carried with the following vote: AYE – Art Dyas, Rebecca Bryant, Charles Johnson, Lee Turner, Hollie MacKellar; Clarice Hall-Black, and Jack Burrell. NAY – Richard Peterson.

UR 19.01 Request of AT&T for an 11.52.11 Utility Review and approval of the proposed underground installation of approximately 10,304 linear foot of fiber optic cable, Wade Mitchell. The project will run along St. Hwy. 181, Windmill Road, and through parts of Idlewild, River Mill, Quail Run, and Firethorne subdivisions. Ms. Milford gave the staff report saying the applicant plans to install 10,304 linear foot of fiber optic cable and 68 handholes. All work will be done by directional bore on this project. Staff recommendation is to APPPROVE with the following conditions:

1. The applicant shall follow the general comments related to utility work, as stated in the staff report.
2. All mechanical equipment shall be painted Munsell green as applicable.
3. The applicant shall provide verification of the depth of the bore to the Public Works Director.

4. A pre-construction conference shall be held prior to construction and written notice shall be provided in advance to the affected residents, along with a written schedule.

Art Dyas made a motion to accept the staff recommendation to APPROVE with the following conditions:

1. The applicant shall follow the general comments related to utility work, as stated in the staff report.
2. All mechanical equipment shall be painted Munsell green as applicable.
3. The applicant shall provide verification of the depth of the bore to the Public Works Director.
4. A pre-construction conference shall be held prior to construction and written notice shall be provided in advance to the affected residents, along with a written schedule.

Charles Johnson 2nd the motion and the motion carried unanimously with the following vote: AYE – Art Dyas, Rebecca Bryant, Charles Johnson, Lee Turner, Hollie MacKellar; Clarice Hall-Black, Richard Peterson, and Jack Burrell. NAY – none.

UR 19.02 Request of AT&T for an 11.52.11 Utility Review and approval of the proposed underground installation of approximately 7,077 linear foot of fiber optic cable, Wade Mitchell. The project will run along Thompson Hall Rd., Bay Meadows Ave., Callaway Dr., Chukker Ct., Steeplechase Ct., and Derby Ln. Ms. Milford gave the staff report saying the applicant will install 7,077 linear feet of fiber optic cable and 36 handholes in the right-of-way. All work will be done by directional bore for this project. Staff recommendation is to APPROVE with the following conditions:

1. The applicant shall follow the general comments related to utility work, as stated in the staff report.
2. All mechanical equipment shall be painted Munsell green as applicable.
3. The applicant shall provide verification of the depth of the bore to the Public Works Director.
4. A pre-construction conference shall be held prior to construction and written notice shall be provided in advance to the affected residents, along with a written schedule.

Art Dyas made a motion to accept the staff recommendation to APPROVE with the following conditions:

1. The applicant shall follow the general comments related to utility work, as stated in the staff report.
2. All mechanical equipment shall be painted Munsell green as applicable.
3. The applicant shall provide verification of the depth of the bore to the Public Works Director.
4. A pre-construction conference shall be held prior to construction and written notice shall be provided in advance to the affected residents, along with a written schedule.

Charles Johnson 2nd the motion and the motion carried unanimously with the following vote: AYE – Art Dyas, Rebecca Bryant, Charles Johnson, Lee Turner, Hollie MacKellar; Clarice Hall-Black, Richard Peterson, and Jack Burrell. NAY – none.

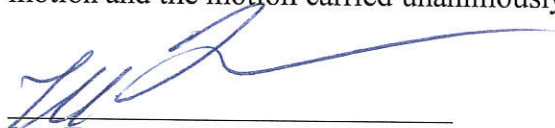
Resolution 2019-01 – Public hearing to consider the request of the City of Fairhope Planning Department to accept Resolution 2019-01 for a proposed amendment to Article V, Section C. Greenspace Standards in the City of Fairhope Subdivision Regulations, Wayne Dyess. Mr. Dyess asked the Commission to continue this request to allow a few changes to be made and any comments from Commissioners to be addressed.

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

Old / New Business

SD 18.25 Request of S. E. Civil Engineering, LLC for a 180-day extension of the plat approval for Garner Subdivision, Larry Smith. Art Dyas made a motion to approve a 180-day extension of the plat approval for SD 18.25 Garner Subdivision. Rebecca Bryant 2nd the motion and the motion carried unanimously with the following vote: AYE – Art Dyas, Rebecca Bryant, Charles Johnson, Lee Turner, Hollie MacKellar, Richard Peterson, Clarice Hall-Black, and Jack Burrell. NAY – none.

Having no further business, Art Dyas made a motion to adjourn. Jack Burrell 2nd the motion and the motion carried unanimously. The meeting was adjourned at 8:07 PM.



Lee Turner, Chairman



Emily Boyett, Secretary