

The Planning Commission met Monday, June 6, 2022, at 5:00 PM at the City Municipal Complex, 161 N. Section Street in the Council Chambers.

Present: Lee Turner, Chairman; Rebecca Bryant, Vice-Chair; Art Dyas; Harry Kohler; John Worsham; Hollie MacKellar; Corey Martin, City Council Liaison; Hunter Simmons, Planning and Zoning Manager; Mike Jeffries, Development Services Manager; Casey Potts, City Planner; Allie Knutson, Secretary; and Chris Williams, City Attorney.

Absent: Clarice Hall-Black

Chairman Turner called the meeting to order at 5:01 PM.

Approval of the Minutes from May 2, 2022, Meeting:

John Worsham made a motion to accept the minutes with no further changes.

Hollie MacKellar seconded the motion and the motion carried unanimously with the following vote:

AYE: Lee Turner, Rebecca Bryant, Art Dyas, Harry Kohler, John Worsham, and Hollie MacKellar.

NAY: None.

Abstain: Corey Martin.

SR 22.05 Request of the Applicant, Overstreet & Associates, on behalf of the Owner, PSGC Properties, for Site Plan Approval of Alpha Care. The property is approximately 1.11 acres and is located on the east side of US Highway 98, 0.13 miles south of Gayfer Road Ext. PPIN #: 913

Summary:

Casey Potts, City Planner, presented the case summary.

The PUD that this project would be in is known as the Greeno Professional Village PUD, which requires a mandatory Site Plan review of each lot. The setbacks defined in PUD Ordinance 1142 defined as 35' front, 40' rear, 10' interior, and 20' side street, are met. The building also meets the 35' height requirement.

The parking plan needs to be revised as three of the spaces need to be pervious and five to six spaces will need to be compact.

The PUD Ordinance requires an 8' shadow box fence be installed at the rear of the property. The landscape plan indicates a shadow box fence along the extent of the rear property line. The City Horticulturalist is satisfied by the landscape plans.

The PUD Ordinance states that, "uses permitted shall be business and professional offices such as lawyers, doctors, banks, insurance, architects and similar uses." Said Ordinance does not define how business and professional offices are interpreted as a use. As such, staff defaulted to the City of Fairhope Zoning Ordinance to define what is allowed on the site. Staff has historically classified a walk-in doctor's office as a Clinic, rather than a Professional Office. Since approximately 70% of the

appointments will be walk-ins, the special exception for Clinic use at Alpha Care will be considered before the Board of Adjustments on July 18, 2022.

Recommendation:

Staff recommends conditional approval of Case SR 22.05 with the following conditions:

1. Three parking spaces shall be pervious.
2. Five to six parking spaces shall be compact.
3. Clinic use shall be approved by the Board of Adjustments.

Rebecca Bryant asked if the 35” pine would be removed as it was not clear on the tree removal plan. Jay Broughton, Overstreet & Associates, confirmed that it would be removed, but that more trees would be planted to compensate. Ms. Bryant gave suggestions on making the pervious parking spaces more attractive. Mr. Simmons stated that the Site Plan will have to go to City Council and that staff can work on the parking before it is heard at City Council.

Hollie MacKellar asked if parking would be in the rear, Mr. Simmons stated that was not required in this zoning or this PUD.

Motion:

Art Dyas made a motion to recommend approval of Case SR 22.05 to City Council, subject to staff recommendations.

John Worsham seconded the motion and the motion carried unanimously with the following vote:

AYE: Lee Turner, Rebecca Bryant, Art Dyas, Harry Kohler, John Worsham, Hollie MacKellar, and Corey Martin.

NAY: None.

ZC 22.04 Public hearing to consider the request of the Applicant, Goodwin, Mills, Cawood, LLC, on behalf of the Owner, Gayfer Village Partners, to amend the existing PUD (Planned Unit Development) for Klumpp PUD. The property is approximately 75.85 acres and is located on the west side of State Highway 181 between Gayfer Road Ext. and County Road 48. PPIN #: 316793, 236701, 24160

Summary:

Hunter Simmons, Planning and Zoning Manager, presented the case summary.

The main reason for the currently proposed PUD amendment is to remove a portion of road through wetlands, providing connectivity between Units 1 and Unit 3 and an optional ingress/egress to Hwy 181. In the revised plans, the proposed road ends at commercial lot 10. Since staff’s last review of this project, the applicant has worked with the Corps of Engineers with potential designs for a road within both the natural wetlands and the constructed wetlands. They now request not to install the road. A small lot will also be created for the lift station that will be dedicated to the City. The requested amendment is not changing any uses or previous conditions of the approved PUD. The only change is in the design of the road, which prompted different lot shapes and sizes for lots 10, 11, and 12; and a slight reduction in size of Unit 3 from 10.63 acres to 10.39 acres. As proposed, lot 12 will require ingress/egress from either Gayfer Ave or Hwy 181. Unit 3 will only have access from Gayfer Ave. Uses within Unit 3 are limited

to convalescent, nursing, or assisted living home. With the proliferation of low-speed vehicles, i.e., 'golf carts,' and considering that connectivity to Unit 3 has been reduced, staff would like to see a solution in the preliminary plat that would allow residents of Unit 3 to access the commercial lots with a low-speed vehicle. One such option is to upgrade the trail on the west side of the property, but the Commission/Council may wish to discuss in more detail. Neither Fairhope Ave, Gayfer Ave, nor Hwy 181 are safe alternatives for low-speed vehicles.

The existing PUD has preliminary plat approval (Case SD 21.33). At this time, staff cannot determine what technical changes the proposed amendment may require. At a minimum, utilities will require alterations, but that may extend into added length of turn lanes, potential alterations to drainage, sidewalks, and/or greenspace. Consequently, the proposed changes will require a new preliminary plat review. No other changes were proposed at this time. Therefore, those items approved within the review of the previous PUD amendment (Case ZC 20.10), and not mentioned in this review, still apply, including any conditions of approval. The conditions of approval for that case were:

1. A master drainage plan shall be prepared for the entire site and included with the initial subdivision application creating units 1-3.
2. City of Fairhope site plan review (Zoning Ordinance Article II, Section C.2.) shall be mandatory for each lot within units 1-3.
3. City of Fairhope subdivision regulations (including multiple occupancy project provisions as applicable) shall be required for the creation of all lots and units within the Klumpp PUD.
4. A 20' greenspace and tree preservation strip shall be provided along Hwy 181.
5. Unit 2 will require 20% greenspace as shown. Provided retention/detention shall not encroach into required greenspace other than those methods approved within the City of Fairhope Subdivision Regulations and/or as approve during MOP/Site Plan Review.
6. Construction of sidewalks shall be done at the time of development of the internal roadways.

Recommendation:

Staff recommends conditional approval of Case ZC 22.04 Klumpp Planned Unit Development (PUD) amendment for PPIN's 236701, 24160, 316793 with the following conditions:

1. A new application for preliminary plat is submitted to Planning Commission for approval making case SD 21.33 null and void.
2. A master drainage plan shall be prepared for the entire site and included with the initial subdivision application creating units 1-3
3. City of Fairhope site plan review (Zoning Ordinance Article II, Section C.2.) shall be mandatory for each lot within units 1-3.
4. City of Fairhope subdivision regulations (including multiple occupancy project provisions as applicable) shall be required for the creation of all lots and units within the Klumpp PUD.
5. A 20' greenspace and tree preservation strip shall be provided along Hwy 181.
6. Unit 2 will require 20% greenspace as shown. Provided retention/detention shall not encroach into required greenspace other than those methods approved within the City of Fairhope Subdivision Regulations and/or as approve during MOP/Site Plan Review.
7. Construction of sidewalks shall be done at the time of development of the internal roadways.

Art Dyas asked if the overall lot number was being reduced to 11 lots. Mr. Simmons stated that there are still 12 lots, the small lot for the lift station is the twelfth lot as the City needs to own that property to apply for grants.

Mr. Dyas suggested tying in the southern edge of Unit 3 to the cul-de-sac. Chairman Turner agreed that connecting that road with a trail that is as close to the wetlands as possible without violating them, then have a meandering road through Unit 3 that connects to Gayfer. Rebecca Bryant asked if the Corp's comments were reviewed. Mr. Simmons stated that they were not, staff was not involved in the permitting process with the Corp, the Applicant will address the comments. Mr. Simmons stated that curving the road around the wetland would possibly require a change to Unit 2. Hollie MacKellar stated that there would be heavy traffic on Fairhope Avenue and State Highway 181 and that an ingress/egress is needed on Gayfer Avenue. She suggested putting a bridge over the wetlands or curving the road to gain access to Gayfer Avenue.

Corey Martin asked what ALDOT said regarding ingress/egress onto State Highway 181. Mr. Simmons stated that turn lanes were required to get traffic off State Highway 181. The turn lane could be increased in length with the proposed removal of ingress/egress on 181.

Chairman Turner felt that connectivity to Gayfer Avenue was needed for connectivity in the future. Jeremy Sasser, GMC, stated that they are currently reviewing a revised traffic study, one suggestion is to lengthen the turn lane to the main entrance from 100 to 175-feet and to have a right in/right out at the northeast corner. Chairman Turner asked if a connection to Gayfer could be made as it would be useful for those who will reside within the development to not have to go out to State Highway 181. Mr. Sasser stated that they agreed to do 4 to 1 wetland mitigation for the wetlands they are filling and are already using four acres of Unit 3 on the south end where it abuts the wetlands as the on-site mitigation to construct wetlands to protect Cowpen Creek. Mr. Dyas asked what the Corps of Engineers recommended for crossing the wetlands for a road. Mr. Sasser stated that they went to the Corps twice with the proposed road, they were told to decrease the impact the first time, so they brought it down to 150-feet from 350-feet, shown on the preliminary plat. The Waters of the US was the biggest impact, a permit was not granted, and a bridge was not feasible as the Corps of Engineers did not want that. Mr. Sasser believes that they could use the multi-use trail to provide golf cart connectivity between the cul-de-Sac and Unit 3. Chairman Turner suggested making a condition of approval to City Council for GMC to explore automobile connectivity options to Gayfer Avenue. Mr. Sasser stated he would have to talk with his client and cannot commit to anything at the moment.

Chairman Turner opened the Public Hearing.

Gary Gover, 300 Lincoln Street, asked how the development will relate to school systems in terms of pick-up/drop-off points for school busses and safe connectivity to schools.

Chairman Turner stated that there is a safe sidewalk on Fairhope Avenue, but children would have to cross Fairhope Avenue twice to get to school.

Frank Connell, 2060 Lowery Drive, expressed storm-water management concerns. The berm behind his house does not extend north. One of the precious mayors walked his property and agreed that there was a drainage problem, but the development's storm-water management is not being discussed.

Chairman Turner suggested getting a card from Jeremy Sasser with GMC.

Phillip Wilson, 231 Royal Lane, confirmed that there are two entrances into the development on Fairhope Avenue and two on Highway 181, with one of the entrances being close to the intersection of

Fairhope Avenue and Highway 181. Mr. Wilson suggested removing one of the entrances or directing traffic to Gayfer Avenue.

Chairman Turner closed the Public Hearing.

Mr. Simmons addressed the comments from the Public Hearing by saying that this case is unique because the preliminary plat had already been approved. There is connectivity via sidewalks inside the development, along State Highway 181, and Gayfer Avenue, the clubhouse could possibly provide shelter for school busses. Drainage will be looked at again. The development's layout could change based on traffic patterns.

Mr. Sasser stated that the drainage is split into two basins running down the middle with a drain along 181 and Cowpen Creek, everything flows to 181 from the property, no water is flowing to White Grove. Mr. Sasser looked at White Grove during the preliminary plat approval, there is some water retention that they are trying to take through their system. Rebecca Bryant added that adding wetlands will help with drainage problems.

Chairman Turner agreed with Phillip Wilson's comment of giving up one entrances on Fairhope Avenue. Mr. Sasser replied that it would need to be discussed with the traffic consultant.

Motion:

Rebecca Bryant made a motion to recommend approval of Case ZC 22.04 to City Council, subject to staff recommendations, plus an added condition:

1. A new application for preliminary plat is submitted to Planning Commission for approval making case SD 21.33 null and void.
2. A master drainage plan shall be prepared for the entire site and included with the initial subdivision application creating units 1-3
3. City of Fairhope site plan review (Zoning Ordinance Article II, Section C.2.) shall be mandatory for each lot within units 1-3.
4. City of Fairhope subdivision regulations (including multiple occupancy project provisions as applicable) shall be required for the creation of all lots and units within the Klumpp PUD.
5. A 20' greenspace and tree preservation strip shall be provided along Hwy 181.
6. Unit 2 will require 20% greenspace as shown. Provided retention/detention shall not encroach into required greenspace other than those methods approved within the City of Fairhope Subdivision Regulations and/or as approve during MOP/Site Plan Review.
7. Construction of sidewalks shall be done at the time of development of the internal roadways.
8. Revision of the site plan to allow a connection to Gayfer Avenue through Unit 3.

Corey Martin seconded the motion and the motion carried unanimously with the following vote:

AYE: Lee Turner, Rebecca Bryant, Art Dyas, Harry Kohler, John Worsham, Hollie MacKellar, and Corey Martin.

NAY: None.

ZC 22.05 Public hearing to consider the request of the Applicant, Kenneth Kleban with Kleban Properties, on behalf of the Owner, FST Corte Rockwell Place, LLC, to establish an initial zoning of B-2, General Business District, concurrent with conditional annexation

into the City of Fairhope. The property is approximately 34.41 acres and is located at 22148 State Highway 181, on northeast corner of State Highway 104 and State Highway 181. PPIN #: 108453

Summary:

Hunter Simmons, Planning and Zoning Manager, presented the case summary.

The subject property is currently outside the City of Fairhope's municipal boundary and is un-zoned. One structure is currently present, with most of the site undeveloped. The site is centrally located within a Village Node, per the City of Fairhope Comprehensive Plan's preferred land use plan. A Village Node is where the most intense uses, such as B-2 should be located. Important to note, this is a straight re-zoning request and does not include a site plan for intended uses. Future uses, if approved, shall meet the Fairhope Zoning Ordinance requirements.

Recommendation:

Staff recommends that Case ZC 22.05 be approved for conditional annexation with an initial zoning of B-2, General Business District.

Art Dyas asked about ground leases. Mr. Simmons stated that he was speculating that there would be connectivity to Highway 104 and Rockwell Place, but at the moment, there is nothing else to review other than zoning. Chairman Turner clarified that Fairhope Single Tax is not involved.

The Applicant was present but had nothing further to add.

Chairman Turner opened the Public Hearing. Having no one present to speak the Public Hearing was closed.

Motion:

Art Dyas made a motion to recommend approval of Case ZC 22.05 to City Council.

John Worsham seconded the motion and the motion carried unanimously with the following vote:

AYE: Lee Turner, Rebecca Bryant, Art Dyas, Harry Kohler, John Worsham, Hollie MacKellar, and Corey Martin.

NAY: None.

ZC 22.07 Public hearing to consider the request of the City of Fairhope Planning and Zoning Department for an amendment to Article III, Section B, Table 3-1: Use Table, in the City of Fairhope's Zoning Ordinance.

Summary:

Hunter Simmons, Planning and Zoning Manager, presented the case summary.

The Zoning Ordinance defines a Kennel or Animal Hospital as any business where four (4) or more dogs over four (4) months of age are kept for general boarding or medical care. Currently, a Kennel or Animal Hospital is permitted only on appeal and subject to special conditions in three zoning districts: B-2 General Business District, B-3a Tourist Resort Lodging District, and M-2 General Industrial District. This amendment proposes to include a Kennel or Animal Hospital as a use permitted only on appeal and subject to special conditions within the M-1 Light Industrial District. Because any change to M-1 can affect local industry, the Fairhope Industrial Development Board has reviewed the proposed amendment and unanimously recommends approval.

Recommendation:

Staff recommends approval and adoption of ZC 22.07, an amendment to Article III, Section B, Table 3-1: Use Table.

Chairman Turner opened the Public Hearing. Having no one present to speak, the Public Hearing was closed.

Motion:

Rebecca Bryant made a motion to recommend approval of Case ZC 22.07 to City Council.

Art Dyas seconded the motion and the motion carried unanimously with the following vote:

AYE: Lee Turner, Rebecca Bryant, Art Dyas, Harry Kohler, John Worsham, Hollie MacKellar, and Corey Martin.

NAY: None.

SD 21.51 Public hearing to consider the request of the Applicant, Jade Consulting, LLC, on behalf of the Owner's Representative, D.R. Horton, Inc., for Preliminary Plat Approval of Lone Oak Farms Subdivision, an 82-lot Major Subdivision. The property is approximately 57.72 acres and is located on the northeast corner of Pierce Road and County Road 32. PPIN #: 17050

Summary:

Attorney Chris Williams recused himself for the duration of the presentation and hearing for Case SD 21.51, and Mike Jeffries, Development Services Manager, presented the case summary.

The current property owners are Lynn Boothe, C. Wesley Grant, and the Estate of Linda Gale Majors, Deceased. The property is currently unzoned in Baldwin County District 14.

All connections and work in the Baldwin County ROW will require permitting from Baldwin County Highway Department. Baldwin EMC is the electric provided, Baldwin County Sewer Service is the sewer provided, AT&T is the communications provider, and Fairhope Utilities is the water provider. Extensive water upgrades including but not limited to a new 12" water main and new lateral connections along CR 32 will be required to service the proposed development. All costs, as well as installation, associated with the required upgrades are the responsibility of the developer and will be evaluated by the Water Department at time of construction.

The traffic study concluded that no right-turn or left-turn lanes are recommended at the site access driveway intersections and no other off-site mitigation is recommended.

The project's storm water will be collected by a combination of sheet flow, curb inlets, and grass swales. Most of the collected storm water will be routed to the proposed developments wet detention pond. The project will include a storm water management system that regulates post development run off release rates below its respective predevelopment rates for all critical storm events. The Storm Water Report indicates the proposed development will have no adverse effects to adjacent properties.

Lot 82 is labeled as "FUTURE PHASE 2 AREA" but needs to be removed. It is currently comprised of mostly wetlands, a resubdivision of Lot 82 may only occur if future mitigation of wetlands can be accomplished. Regulations at time of resubdivision shall be accommodated. Nothing within this review and/or potential approval, implies Lot 82 will be further subdivided. The drainage infrastructure shown in Lot 82 will need to be included in Common Area 1 and within the O&M Plan.

The applicant has requested to not install sidewalks along County Road 32 and Pierce Road. Staff supports this request as the nearest sidewalk is more than a mile away. However, at minimum, a 10' sidewalk easement needs to be shown adjacent to the ROWs of CR 32 and Pierce Road.

Recommendation:

Staff recommends approval SD 21.51 Lone Oak Farms preliminary plat with the following conditions:

1. Remove "FUTURE PHASE 2 AREA" from Lot 82.
2. Drainage infrastructure in Lot 82 needs to be included in COMMON AREA 1.
3. Add blanket utility/drainage easement to all common areas.
4. Add minimum lot width and area to Site Data Table.
5. Add sidewalk easement along the ROWs of CR 32 and Pierce Road.
6. Developer is responsible for the construction of, and all costs associated with, all off-site water service upgrades determined necessary by the City of Fairhope Water Department.
7. Prior to issuance of any building permit the final construction documents for the water upgrades shall be approved by the City of Fairhope Water Department.
8. All water upgrades shall be installed prior to submittal of Final Plat application.

Mr. Jeffries specified that conditions 1-5 were notes that would need to be added to the plat while 6-8 were conditions related to the required water upgrades.

Chairman Turner asked where the minimum lot width came from. Mr. Jeffries stated that the minimum lot width for unzoned property is 100-feet with a lot area of 15,000 square feet.

John Worsham asked if there was a period for when traffic studies need to be done as the traffic study provided was over a year old. Mr. Jeffries stated the traffic study should be current, but that it was over a year old because they initially submitted in October of 2021 and many revisions had been made since then. Mr. Simmons stated that there is an expiration for

traffic studies and that he would look at the Subdivision Regulations to determine what the expiration would be.

The Applicant, Trey Jinright with Jade Consulting, was present. The wetlands have grown since the first submittal in October of 2021. The delay to have the request heard has been due to working with the Corps of Engineers regarding the wetland delineation. The traffic study was updated in April of 2022 to reflect the reduced lot count. The pre versus post drainage criteria has been met. Mr. Jinright also gave information on the water improvements that will need to be made, a 12-inch watermain that will run from County Road 33 back towards the south side of County Road 32 to the western limit at Pierce Road. They have also almost doubled the greenspace requirement.

Rebecca Bryant asked about water flowing under County Road 32 into Green Branch and if they have solved the problem of water flowing over County Road 32.

Mr. Jinright stated that it does flow into Green Branch and that what their project is releasing towards County Road 32 is significantly less. Jade Consulting is not replacing the culverts although the culvert under that road is undersized, the County will have to replace it with grants. Their proposed wet pond is significant and has been enlarged to help offset flows, but they are not fixing the flooding on County Road 32.

Rebecca Bryant asked if the culvert was backing up and flooding proposed lots 50-59. Mr. Jinright stated that it is backing up and creating headwater on Lot 82. The property raises in elevation to the north.

Hollie MacKellar asked what the amenities were. Mr. Jinright stated there would be over 16 acres of open space, walking trails, and a wet lake.

Chairman Turner opened the Public Hearing.

Jessica McDill, Chason & Chason, P.C. P.O. Box 100, Bay Minette, AL 36507. Attorney McDill stated that she represents Don and Curtis Pilot of Sonny Hill Farm across Pierce Road. The infrastructure in the area is inadequate to handle the current surface water runoff, the Pilots have undertaken significant efforts on their farm to handle the drainage issues that ultimately go down to County Road 32. The infrastructure cannot handle this type of development and the adjacent property owners will experience the adverse effects of it. A drainage feature comes on to Kathy Cogle's property on Danne Road, in the most recent heavy rain, water has come within 15-feet of her sidewalk. Drainage is eating the underside of Danne Road from the water feature drainage issues and should only be a platted lot if able to be built upon in the future. Lot 82 is desired for future development but is labeled improperly due to the existing wetlands. Pierce Road is a prescriptive road and is not a right-of-way that is wide enough to meet the County standards, it is 20-feet wide. It was paved after significant runoff of red clay kept going under County Road 32 towards the river. According to the packet, the developer is dedicating a 40-foot strip to widen the road to meet the County's road standards, but there are no improvements required for County Road 32. The current conditions of the road cannot handle the traffic that the development would bring, specifically referring to 5.5.7 of the County Subdivision Regulations. Because this is the County, the civil rule applies that you cannot alter

the volume, or channel, or force increased velocity on to neighbors. There is no legal right to do that without an easement from the neighbors. There would be uncontrolled release from the southwest corner of the property after getting rid of the drainage pond. The developer is transferring the obligation and cost to correct these drainage problems.

Chairman Turner asked how a subdivision cannot increase water but be approved in the County. Attorney McDill stated that the civil law rule prohibits increased volume and velocity to cause scour. Following civil law rule when developing, you would have to have large enough features to hold the water or create enough impervious surfaces, it has been judicially enforced in the County. Rebecca Bryant asked if the legal language is that you cannot increase the volume and cause harm or cannot increase the volume, period. Attorney McDill stated that you cannot increase volume or velocity. Chairman Turner asked how anyone gets building permits in the City or County without increasing the volume. Art Dyas asked how the County can allow themselves to build a highway as well. Attorney McDill replied that in the City, you can change flows if no damage is caused. Many projects have violated the law. Chairman Turner stated that following the law that Attorney McDill stated, no one can build a house outside of the city limits without major infiltration. Mr. Simmons stated that the County will be reviewing the case in full as well, but if there isn't water draining from private property to private property, does the civil law apply? Our regulations are regarding the adverse effects so if it is determined that there are believed to be adverse effects to properties, Commissioners could require a third-party review of drainage, deny the case, or table it for revisions.

Attorney McDill responded to Art Dyas' comment about the County building highways and said that she had litigated and prevailed against the County over a drainage easement from a road improvement where they increased volume and velocity. Art Dyas gave the example of County Road 13 and Fly Creek not having dissipation.

Corey Martin mentioned that this conversation had just been had at the last Planning Commission Meeting regarding Lawrence Road and that a precedent had been set for adverse effects of drainage on to neighboring properties. Chairman Turner clarified that the Lawrence Road project was denied due to greenspace as well. Mr. Simmons stated that this law is a hard law for a Planning Commission to enforce because it is based on those damages, which is when it is litigated and resolved in a court.

Rebecca Bryant asked where the damage would be from the discharge of the proposed subdivision. Attorney McDill stated that she would let Ken Underwood speak to that. Not every permit needs to be denied, but drainage needs to be dealt with if flow and velocity is going to change.

Chairman Turner stated that they would ask Attorney Chris Williams to take the doctrine that Attorney McDill mentioned and compare it to the City of Fairhope Subdivision Regulations to make sure the regulations are legal.

Ken Underwood, Engineer, 14715 Oak Street, Magnolia Springs, AL 36555. Mr. Underwood stated that throughout the three submittals made for Lone Oak Farms, the drainage data tables have remained unchanged despite the reduction of lots and revision of plans. The south outfall discharges under County Road 32 with no treatment.

Chairman Turner asked if Mr. Underwood would agree with Mr. Jinright that less water would be discharging to the south. Mr. Underwood stated that he did not see any calculations that would lead him to think that.

The southeast outfall discharges into to a ditch on County Road 32. The east outfall area discharges sheet flow over the property to the east to a grady pond with no outlet, total volume will end up in the pond. The northeast outfall is a detention pond that discharges to a wetland area with no outlet on private property. There are 9.4 acres that drain on to the proposed Lone Oak Farm site that have not been accounted for from property to the north.

Mr. Underwood quoted from 5.1.1.2, Drainage System Standards, from the Baldwin County Subdivision Regulations that, "when a proposed new drainage system will divert water on to an unnatural water system or on to private land adjacent to the subdivision, drainage rights must be secured by the applicant and indicated on the final plat." Mr. Jeffries clarified that this should be going off Fairhope's Subdivision Regulations. Mr. Simmons also clarified that he is referring to private property when the streets are public.

Art Dyas asked Mr. Underwood if the culvert under County Road 32 was undersized. Mr. Underwood stated that he did not go to the site to look at the culverts.

Gena Todia, Wetland Resources Environmental Consulting, 11100 Lawrence Road Ext., Fairhope, AL 36532. Ms. Todia was asked to look at the wetlands for this project. The City of Fairhope Subdivision Regulations states that, "Where a parcel of land proposed to be subdivided contains an area of wetlands delineated as jurisdictional by the Army Corps of Engineers, said area shall be subject to Section 404 (b) (1) guidelines concerning fill material into wetlands. Lots may be platted where sufficient upland areas exist to provide a building area for the principal structure and necessary accessory structures. Fill may be used where necessary to provide access to lots where approval for fill has been granted by the Corps of Engineers and any other applicable government agency." Lot 82 needs to be labeled as a "common area" and Ms. Todia stated that Baldwin County agreed with her. As a citizen, Ms. Todia does not feel that it is right to put the financial burden of improving Pierce Road or the future burden of building sidewalks, on the citizens. There is also a growing interest amongst residents to get zoning in District 14.

Fred Pierce, 17991 Pierce Road, Fairhope, AL 36532. Mr. Pierce has lived on Pierce Road for the duration of his life and there were flooding issues when he was a kid. He had farmed the proposed Lone Oak Farms property at one point for about a year or two but stopped because the property was hard to get crops out of and tractors would sink. Mr. Pierce passed out five photos to the Commissioners depicting traffic on County Road 32, the culvert on 32, and the 2-3' berm that a neighboring property owner built to prevent flooding. He believed that the impacts the subdivision would have on surrounding properties regarding drainage and traffic had not been looked at and that the case should be denied.

Herb McKee, 211 Park Drive, Fairhope, AL 36532. Mr. McKee stated that he owns property east of the proposed subdivision. The land in this area is "Marlboro Long" soil which is close to being wetlands and makes the property boggy. He expressed concerns regarding drainage

and flooding, as well as traffic, specifically for emergency vehicles who routinely travel on County Road 32 and requested that the case be denied.

Linda Parsons, 16825 Old Pierce Road, Fairhope, AL 36532. Ms. Parsons brought a 20-year topographic map and stated that her home was 72 feet above the flood zone when she bought it, but her home flooded during the last hurricane due to water from JB Lane and Danne Road. She expressed drainage concerns for residents on Pierce Road, Old Pierce Road, and Danne Road and requested that the case be denied.

Chairman Turner closed the Public Hearing.

Mr. Jinright addressed comments from the Public Hearing. Pierce Road is not a dedicated right-of-way; it is prescriptive with the County, and they are requesting a 40-foot right of way dedication. Any improvements will need to be handled through the County. Regarding drainage, the Subdivision Regulations take downstream damages into account by following the 10% rule and doing a hydrologic model of the drainage basin. The volume to south Pierce is decreased by half of what it was pre-development, and it is being taken to the east to be released in a pond via a level spreader. The site is only 20 acres in a 200-acre drainage basin. The water that overtops Pierce Road is predominantly coming from the west from the Pilot's farm and other properties upstream. Also, water is being released into the wetlands, which is Jurisdictional Waters of the US on their site, not on to adjacent properties. The wetlands and the 40-foot right-of-way are the missing 9 acres that Mr. Underwood mentioned that are not in the calculations. The water upgrades are being made for fire protection for those who has safety concerns. Lot 82 is developable with a permit from the Corp of Engineers, and he does not want to label it as "common area" as there is already enough common area. There is a lot you can do to cross wetlands that are environmentally friendly options.

Chairman Turner asked if there would be a deed restriction on Lot 82. Mr. Jinright stated that he was not able to agree to that, but if that was something the Commission requests, then they would adhere to the request.

Chairman Turner asked if any improvements will be made to Pierce Road aside from the right-of-way dedication. Mr. Jinright stated there would be improvements if the County requires it as it is their road.

Corey Martin asked about sidewalks and connectivity for children. Mr. Jinright stated there are sidewalks in the development and Lot 82 is along Pierce Road, so they are not looking at putting sidewalks in there but are doing an easement along 32. Mr. Simmons asked if the County is allowing sidewalks in the right of way or easements. Mr. Jinright was not sure.

Mr. Simmons asked Mr. Jinright about putting the drainage into the common area rather than in Lot 82 and Mr. Jinright stated that had been addressed.

Chairman Turner brought up putting in 1,000 feet of sidewalk for future connectivity along Pierce Road and asked if the existing road needed to be brought up to subdivision standards prior to subdividing. Mr. Simmons stated that a road needs to be 20-feet of paved surface with a gutter, Pierce Road is a county-maintained road. Mr. Jeffries added that a lot needs to front

on a paved, publicly maintained road, but any new road inside of the development will have to be built to the City's standards. Chairman Turner was concerned with large trucks on Pierce Road with the density of the development.

Corey Martin expressed the desire to have a third-party drainage review. Mr. Simmons stated that could be accommodated, and that staff could also contact the County.

Chairman Turner wanted to know from the County what the Pierce Road improvements would be, if any.

Art Dyas stated that he would like a legal answer to adjacent properties receiving downstream water that Attorney McDill had presented. Mr. Simmons stated that he would do what he can to provide that, but that staff does not have third-party legal counsel under contract. He also suggested that if the Applicant agrees, the case could be tabled until answers are provided.

Hollie MacKellar wanted clarification on the traffic study as the traffic study provided was from October of 2021, but Mr. Jinright stated that it had been updated in April of 2022. Mr. Simmons stated to address Mr. Worsham's question early regarding traffic studies, that traffic study data is good for three years.

Mr. Jinright stated that he was agreeable to Commissioners making a motion contingent upon a third-party review or tabling the case till the July 7, 2022, meeting.

Mr. Simmons stated that he would have to check on the availability of a third-party legal review, but that there is someone under contract with the City for a third-party drainage review.

Mr. Jinright stated for the record that there was no request to widen Pierce Road based on Baldwin County's Roadway Design Standards traffic data.

Motion:

Corey Martin made a motion to table Case SD 21.51, Lone Oak Farms Subdivision, to allow a third-party review of the drainage and legal standards per the Applicant's request.

Rebecca Bryant seconded the motion and the motion carried unanimously with the following vote:

AYE: Lee Turner, Rebecca Bryant, Art Dyas, Harry Kohler, John Worsham, Hollie MacKellar, and Corey Martin.

NAY: None

A brief intermission was taken.

SD 22.08 Public hearing to consider the request of the Applicant, Seth Moore, on behalf of the Owner, Donna Elkins, for Plat Approval of Elkins Place, a 2-lot Minor Subdivision. The property is approximately 1 acre and is located on the east side of Main Street, 0.3 miles south of Jewett Street.

PPIN #: 46843

Summary:

Casey Potts, City Planner, presented the case summary.

This case was heard as “Jewett Place” at the March 2022 Planning Commission Meeting but was held over per the request of the Applicant. The applicant submitted two documents with the new application – a turnout permit onto a county road (for a driveway) and a waiver request. They are requesting a waiver from the requirement of the lot being on a publicly maintained road. Staff does not support the waiver request and maintains a recommendation of denial of SD 22.08.

Recommendation:

Staff recommends denial of Case SD 22.08, Elkins Place.

Applicant, Seth Moore, was present. Mr. Moore stated that he requested a waiver and permit from Baldwin County to put a driveway in the Jewett Street right-of-way. There are currently four existing residences that have driveways on Jewett Street.

Art Dyas asked if the division of this lot into two lots, is a self-imposed hardship due to the second lot not having existing access. Mr. Moore stated that lot two would have access per the County’s driveway permit. Mr. Dyas asked if the driveway would be paved, Mr. Moore stated that it would be.

Chairman Turner clarified that the reason for denial is due to Lot 2 not fronting on a publicly maintained road. Mr. Simmons said that is correct, the County does not do maintenance on Jewett Street and neighbors have mentioned existing drainage issues. Mrs. Potts showed where Jewett Street ends on the screen, it does not connect to Main Street.

Chairman Turner opened the Public Hearing.

Michael Gillespie, 7048 Jewett Street, stated that Jewett Street is not a street and does not connect to Main Street. There are not very many sidewalks and people drive too fast, he and his family do not want the lot to be subdivided.

Tripp Pittman, 23950 Main Street, stated that he supports staff’s recommendation for denial as Jewett Street is a drainage easement. The easement is currently wooded, clearing would have to be done to make access to Main Street. The waiver as he interpreted it, cannot be requested because it saves money and cannot to be requested to create more density.

Chairman Turner closed the Public Hearing.

John Worsham asked what the paving plans entailed. Mr. Moore responded that the driveway would be paved and would connect to the existing pavement on Jewett.

Motion:

John Worsham made a motion to deny Case SD 22.08, Elkins Place, because Lot 2 would not front on a publicly maintained road.

Hollie MacKellar seconded the motion and the motion carried unanimously with the following vote:

AYE: Lee Turner, Rebecca Bryant, Art Dyas, Harry Kohler, John Worsham, Hollie MacKellar, and Corey Martin.

NAY: None

SD 22.16 Public hearing to consider the request of the Applicant, Goodwyn, Mills, Cawood, LLC, on behalf of the Owner, FST Montrose Properties, Inc., for Final Plat Approval of Fox Hollow, Phase 3, a 32-lot Major Subdivision. The property is approximately 13.78 acres and is located on the east side of County Road 13, 0.04 miles south of Nichols Avenue. PPIN #: 15399

Summary:

Chairman Turner clarified that final plat approval ensures that the subdivision was built as approved during preliminary plat approval. Casey Potts, City Planner, presented the case summary.

The Right-of-Way inspection indicated that the pond between Lot 24 and 25 needs better vegetation. The pond slopes have been sodded in the time since the staff report was written. The inspection also indicated that street trees need to be installed in common areas. Common area landscaping has been bonded.

Recommendation:

Staff recommends approval of Case SD 22.16, Final Plat Approval of Fox Hollow, Phase 3, subject to the following conditions:

1. Complete required follow up activities.

Follow-Up Activities Required by Staff and the Applicant:

Copy of the recorded plat

Copy of the recorded O&M Agreement

Maintenance and Guaranty (M&G) Agreement executed by the developer - the mayor signs this agreement to fully execute it

Remember to include the instrument # from the recorded plat

Please include 30 days in paragraph 3

Rebecca Bryant asked for clarification on street tree bonding. Chairman Turner stated that the trees had been bonded to be installed.

The Applicant, GMC, was not present to speak.

Chairman Turner opened the Public Hearing.

Jennifer White, 733 Culpeo Avenue, had concerns about the total number of lots between Fox Hollow Phases 1-3 regarding the ingress and egress off of County Road 13, stating that the entryway was too narrow.

Chairman Turner responded by saying that the total number of lots were considered for that ingress and egress.

Chairman Turner closed the Public Hearing.

Motion:

Art Dyas made a motion to approve Case SD 22.16, Final Plat Approval of Fox Hollow, Phase 3, subject to staff's conditions.

Hollie MacKellar seconded the motion and the motion carried unanimously with the following vote:

AYE: Lee Turner, Rebecca Bryant, Art Dyas, Harry Kohler, John Worsham, Hollie MacKellar, and Corey Martin.

NAY: None

SD 22.17 Public hearing to consider the request of the Applicant, SE Civil, on behalf of the Owner, FST Fritz Harshberger DMD LLC, for Preliminary Approval of Advanced Dental, an 11-unit Multiple Occupancy Project. The property is approximately 2.75 acres and is located on the east side of State Highway 181, 0.25 miles south of County Road 48. PPIN #: 14894

Summary:

Mike Jeffries, Development Services Manager, presented the case summary.

The property is zoned B-4 and has an approved Site Plan that was that was reviewed in 2015 (SR 15.02).

Riviera is the electric provider, sewer is handled by on-site septic, Fairhope Utilities is the gas and water provider. Per the Engineer of Record, a traffic study was not triggered, and the existing detention pond was built to conformance. The building layout, parking, landscaping, and detention is in compliance with the approved Site Plan.

Recommendation:

Staff recommends approval SD 22.17 Advanced Dental Multiple Occupancy Project with the following conditions:

1. Provide a recorded copy of the O&M Plan.
2. Include a utility plan showing the installation of fire hydrant in the construction drawings submitted for building permit.

Chairman Turner clarified how many units were being added. Mr. Jeffries stated that it was one building with six units. The existing building has five units, for a total of eleven.

The Applicant was present but had nothing further to add.

Chairman Turner opened the Public Hearing. Having no one present to speak, the Public Hearing was closed.

Motion:

Art Dyas made a motion to approve Case SD 22.17, Advanced Dental MOP, subject to staff's conditions.

John Worsham seconded the motion and the motion carried unanimously with the following vote:

AYE: Lee Turner, Rebecca Bryant, Art Dyas, Harry Kohler, John Worsham, Hollie MacKellar, and Corey Martin.

NAY: None

SD 22.18 Public hearing to consider the request of the Applicant, SE Civil, on behalf of the Owner, Lennar Homes of Alabama, LLC, for Preliminary Plat Approval of Greenfields Subdivision, an 80-lot Major Subdivision. The property is approximately 39.9 acres and is located on the east side of County Road 13, 0.38 miles south of County Road 34. PPIN #: 41079, 55265

Summary:

Mike Jeffries, Development Services Manager, presented the case summary.

Baldwin EMC is the electric provider. Fairhope Utilities is the water provider, can provide gas, is the sewer provider, and a lift station is proposed on the west side of CR 13. The location is on private property owned by the City of Fairhope and would require City Council approval. At time of review, staff could not assume access would be granted by the City Council and required applicant to provide an alternate location for the lift station within the development, which has been accommodated. A water main upgrade connecting to CR 32 along CR 13 to the proposed subdivision is required. All costs, as well as installation, associated with the required upgrades, would be the responsibility of the developer and will be evaluated by the Water Department at time of construction. AT&T is the communications provider.

Currently, no turn lane or other traffic improvements are recommended, but an update traffic study will need to be conducted prior to Final Plat Application due to the construction of a round-a-bout at County Road 13 and County Road 32.

The Water will be collected in a series of inlets and underground drainage pipes. The underground drainage pipes will discharge into one of three wet detention ponds. Pond 1 is located at the West portion of the site and discharges West to the Right-of-Way ditch along County Road 13. Pond 2 is located at the North portion of the site and discharges to the site's Northern property line. Pond 3 is located at the East portion of the site and discharges to the wetland area within the East side of the site. The Storm Water Report indicates the proposed development will have no adverse effects to adjacent properties.

Greenspace requirements are exceeded. A preserve on the east side of the development and a centrally located park account for 3.5 acres of the required 3.99 acres. The additional greenspace is a trail/greenway north of the preserved area creating a total of 8.19 acres of greenspace. However, the landscape plans need to be amended to show sod around detention ponds and central greenspace.

The applicant is requesting a waiver from the requirement of an 8' planting strip according to Appendix A, Table 5.3 of the Subdivision Regulations. The applicant proposes a 7' planting strip. Staff, in coordination with other departments, supports the waiver request, but proposed an alternative.

Recommendation:

Staff recommends approval SD 22.18 Green Fields preliminary plat with the following conditions:

1. Approval of the waiver request to grant a different Roadway Section.
2. An updated traffic study will be required after completion of construction at CR 13 and CR 32 for review and any recommended improvements will be required before Final Plat Application.
3. All costs, as well as installation, associated with the required upgrades are the responsibility of the developer and will be evaluated by the Water Department at time of construction.
4. Lift station location on City property shall be approved by City Council or located inside the development.
5. Landscape plans need to be amended to show sod around detention ponds and central greenspace.

Rebecca Bryant stated that she likes trees to overhang the street. Mr. Simmons stated that the trees will create that effect once they hit maturity so that delivery trucks do not hit them.

Chairman Turner asked if this was something that could be changed in Subdivision Regulations. Mr. Jeffries replied that they may be amended to have different road section details to choose from and presented before Planning Commission. Rebecca Bryant did not like the 24-inch strip of sod and wondered if within the 7-foot shoulder, the trees could be planted closer to the sidewalk. Mr. Jeffries responded that, that would cause issues with the roots growing up underneath the sidewalks. Mr. Simmons also mentioned that 60-foot right-of-way's may be needed soon as they are getting crowded with utilities.

Art Dyas asked why a waiver is being requested for a 1-foot difference and stated that he does not want to set a precedent.

Corey Martin asked what the proposed amenities are.

Larry Smith, SE Civil, stated that he was curious about how many ROWs were built to the City's standards because it is difficult to meet the Subdivision Regulations requirements and what the utilities require. Also, a standard valley gutter is 2'6", they could have done a 2' gutter, but a larger gutter is able to handle more water flow. They are not trying to save more money; they are trying to create a road section that meets the standards while also addressing some issues that have been seen with utilities. He does not have an issue with the road section that was proposed by staff, but to have an ADA compliant ramp, 4-feet will be needed between the valley gutter and the sidewalk.

Chairman Turner asked what Attorney, Chris Williams thought regarding the waiver request. Attorney Williams read the standards for a waiver request.

Rebecca Bryant was concerned that 6-inches of greenspace on each side is being replaced by concrete.

Mr. Smith stated that this is what a lot of subdivisions end up with and he is trying to make the Commissioners aware of that. Mr. Simmons added that some projects have 6-inch easements, 6-inch easements on each side could be required to accommodate, but electric, transformers, water meters, gas meters, fiber, will be going into the easements as well. If the easement was meant for trees, there would be conflicts.

Mr. Smith stated that the lift station was originally shown on site but believes that it would be more beneficial to have it across the street to also service ball fields at some point with gravity feed. It is more costly to put the lift station on the adjacent property because they must bore under County Road 13 with a gravity main, but it will benefit the City. The amenities are open park greenspace and a preserve with a mulch trail around the wetland feature and a wet detention pond.

Art Dyas feels that they would be putting people at risk on sidewalks with the sidewalks being close to the roadway.

Chairman Turner opened the Public Hearing.

Gary Gover, 300 Lincoln Street, was concerned with the garbage cans being on the sidewalks twice per week. As a walker, he would enjoy street trees between himself and vehicles when walking on the sidewalks.

Chairman Turner closed the Public Hearing.

Corey Martin asked what they can do to provide pedestrian safety and agreed with Art Dyas that safety is important. Mr. Smith stated that they could build the road section per the Subdivision Regulations and take away the 6-inch strip between the sidewalk and the property line. They were trying to take staff's comments into consideration and look at the issues from a design and construction standpoint. that it could, talked about gutter. Chairman Turner asked if a raised curb would make the sidewalk safer. Mr. Smith stated possibly, but there are other issues with a raised curb, like cracking when driveways are put in.

Mr. Dyas stated that the waiver is not necessary, Chairman Turner agreed and wanted the Applicant to revise the street plan.

Motion:

Rebecca Bryant made a motion to deny the waiver request.

Art Dyas seconded the motion and the motion carried with the following vote:

AYE: Rebecca Bryant, Art Dyas, Harry Kohler, John Worsham, Hollie MacKellar, and Corey Martin.

NAY: Lee Turner

Motion:

Art Dyas made a motion to approve Case SD 22.18, Greenfields Subdivision, subject to staff's recommendations with the removal of condition number one regarding approval of the waiver and an added condition to read as follows:

1. An updated traffic study will be required after completion of construction at CR 13 and CR 32 for review and any recommended improvements will be required before Final Plat Application.
2. All costs, as well as installation, associated with the required upgrades are the responsibility of the developer and will be evaluated by the Water Department at time of construction.
3. Lift station location on City property shall be approved by City Council or located inside the development.
4. Landscape plans need to be amended to show sod around detention ponds and central Greenspace
5. Staff approval of the road section meeting Subdivision Regulations.

Corey Martin seconded the motion and the motion carried unanimously with the following vote:

AYE: Lee Turner, Rebecca Bryant, Art Dyas, Harry Kohler, John Worsham, Hollie MacKellar, and Corey Martin.

NAY: None

SD 22.19 Public hearing to consider the request of the Applicant, Dewberry, on behalf of the Owner, Dilworth Development Inc, for Final Plat Approval of Riverhorse, a 27-lot Major Subdivision. The property is approximately 22 acres and is located ¼ mile north of Gayfer Avenue, on the east side of Blueberry Lane, north of the North Station Subdivision. PPIN #: 369809

Summary:

Mike Jeffries, Development Services Manager, presented the case summary.

Sidewalks and street trees not installed have a performance bond and performance bond agreement to be installed within two years. The engineer has provided his engineer's certificate for the design and construction of the improvements constructed for the subdivision. Baldwin County will be paving Blueberry Lane connecting to Calibre Street, providing a secondary entrance. A temporary turnaround will be required until Calibre Street is connected to Blueberry Lane.

Follow-up activities required by staff include, a copy of the recorded plat, a copy of the recorded O&M Agreement, Maintenance and Guaranty (M&G) Agreement executed by the developer and signed by the mayor with the instrument number from the recorded plat included, and "30 days" included in paragraph three.

Recommendation:

Staff recommends approval of Case SD 22.19, Riverhorse Subdivision Final Plat with the following conditions:

1. The completion of any outstanding punch list items not completed prior to signing final plat.
2. Lot 13 shall remain a temporary turnaround until Blueberry Ln and Calibre St. are connected.
3. The temporary turnaround shall be installed prior to issuance of first building permit.

Hollie MacKellar asked if a bridge was going to go over the wetlands. Mr. Simmons stated that there had been discussion of a bridge, but it was never made a condition.

Al Finley with Dewberry was present but had nothing further to add.

Chairman Turner opened the Public Hearing. Having no one present to speak, the Public Hearing was closed.

Motion:

Corey Martin made a motion to approve Case SD 22.19, Riverhorse Subdivision, Final Plat, subject to staff's conditions.

John Worsham seconded the motion and the motion carried unanimously with the following vote:

AYE: Lee Turner, Rebecca Bryant, Art Dyas, Harry Kohler, John Worsham, Hollie MacKellar, and Corey Martin.

NAY: None

IR 22.03 Request of the Applicant, Kenneth Kleban with Kleban Properties, on behalf of the Owner, FST Klumpp Family Limited Partnership, for an Informal Review of the amendment to the existing PUD (Planned Unit Development) for Idlewild Place PUD. The property is approximately 10 acres and is located on the west side of State Highway 181, just south of Fairhope Avenue. PPIN # 261908

Summary:

Hunter Simmons, Planning and Zoning Manager, stated that the original PUD was approved in 2005 and showed it on the screen. Now, a hotel, retail, and commercial space is being proposed.

Ken Kleban with Kleban Properties stated that they want to create a mixed-use development to mimic downtown Fairhope to be known as Fairhope East. They are proposing a 100-room hotel with limited amenities including a restaurant and a pool on the second-floor roof. Restaurants, office and retail space, and small residential units are proposed. Mr. Kleban has received letters of intent from several franchises and restaurants already. The landscape plan has been designed, the three heritage oaks have been preserved, the wetlands have been accommodated on the north end, and the final engineering for the drainage is being done. Mr. Kleban also mentioned that he is meeting with Idlewild residents regarding the proposed development and golf cart connectivity.

Mr. Simmons showed the layout of the hotel and details on the site data table on the screen.

Chairman Turner asked if there would be connectivity to Idlewild. Mr. Simmons stated that there would not be connectivity as a 20-foot landscape buffer would be in place against the residential side of the property. Chairman Turner suggested having pedestrian connectivity in the rear with landscaping in the streetscape.

John Worsham asked if there was enough parking. Mr. Simmons replied that staff is still reviewing parking, but they are looking at a shared parking model. The drive-thru was also discussed, Mr. Kleban said that they could adjust the drive-thru plans if necessary.

Hollie MacKellar suggested considering the surrounding neighborhoods when choosing the lighting for the hotel as well as limiting late pool times to control noise. She also suggested making the back side of the development more inviting with landscaping.

Old/New Business

There was no Old/New Business to discuss.


Adjournment

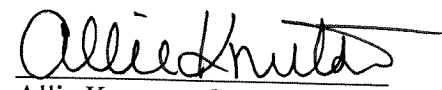
Corey Martin made a motion to adjourn, and the motion carried unanimously with the following vote:

AYE: Lee Turner, Rebecca Bryant, Art Dyas, Harry Kohler, John Worsham, Hollie MacKellar, and Corey Martin.

NAY: None

Adjourned at 9:22 p.m.


Lee Turner, Chairman


Allie Knutson, Secretary

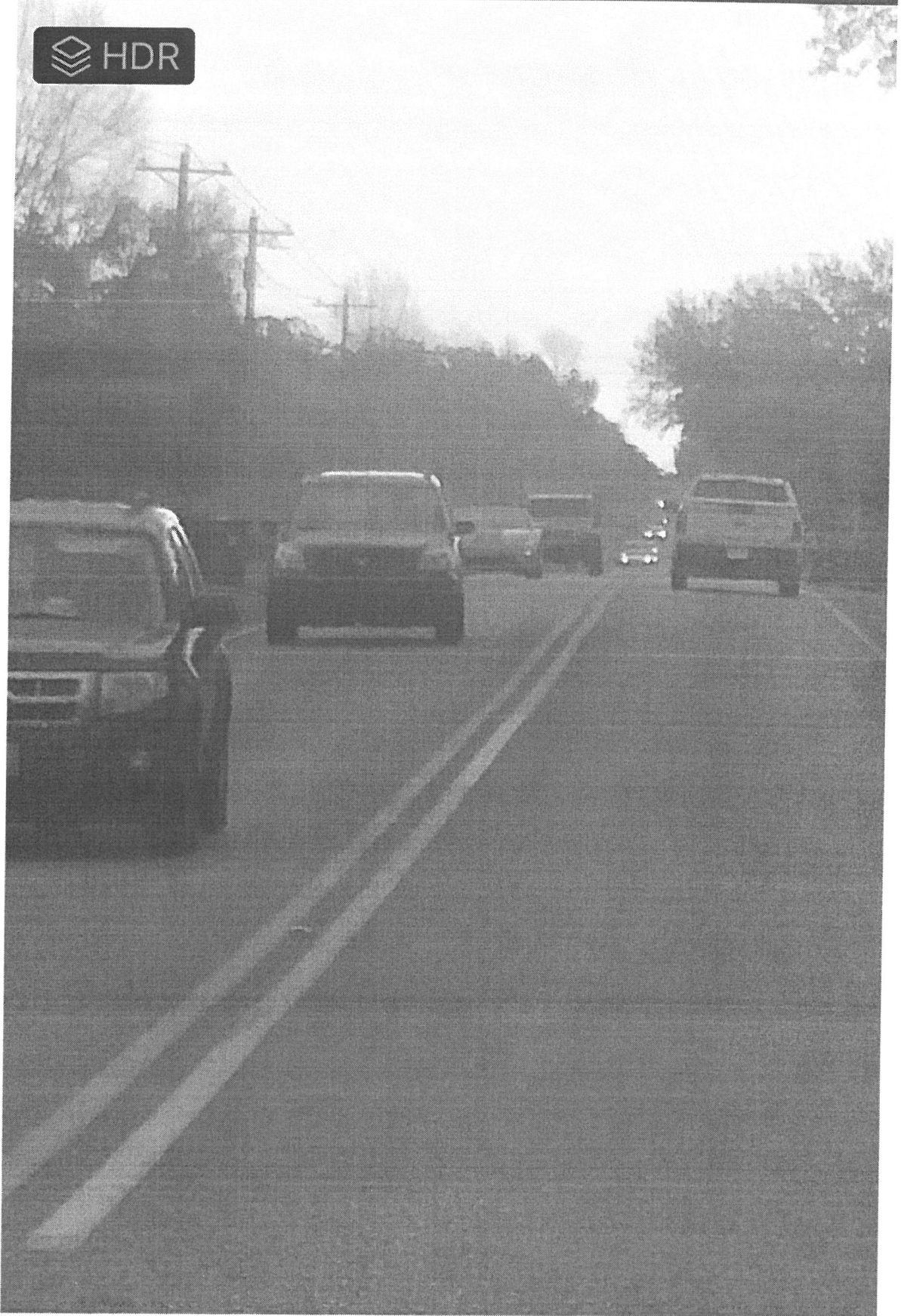
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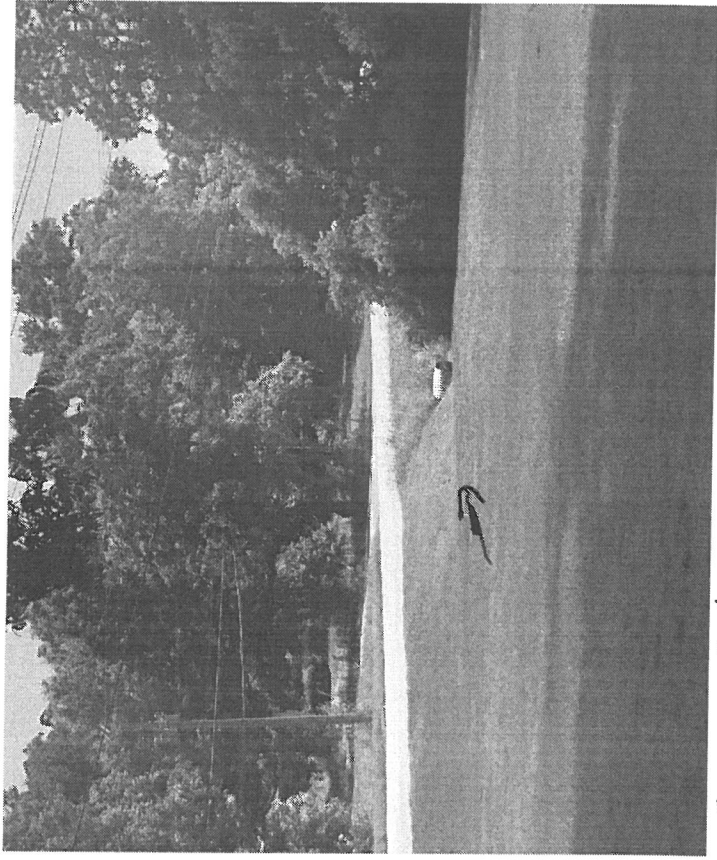


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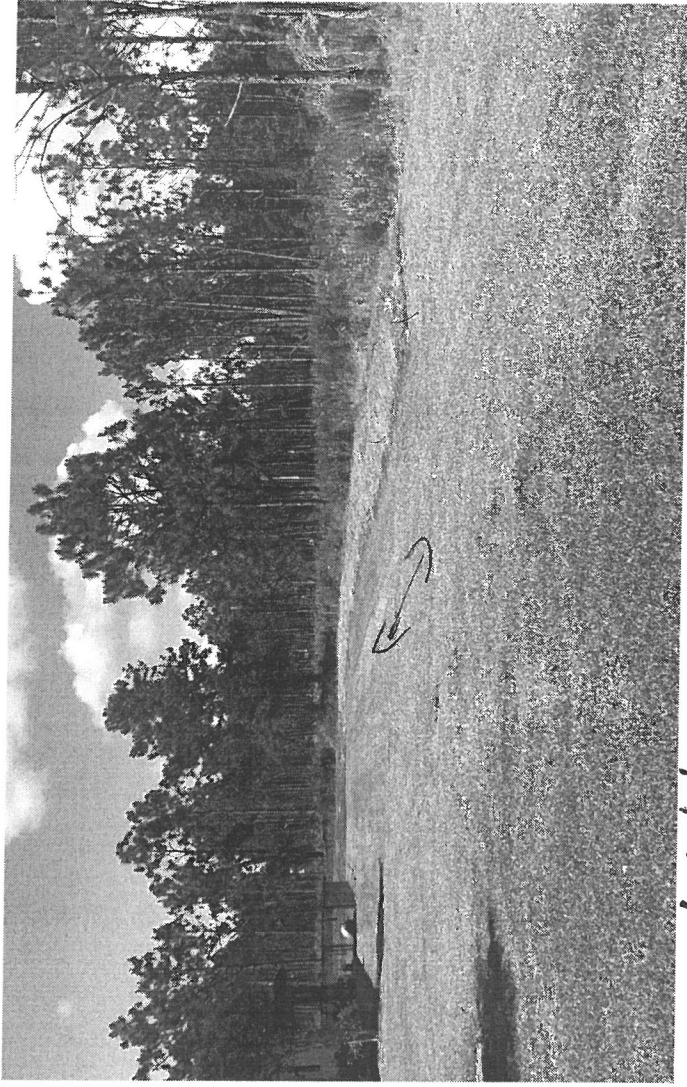
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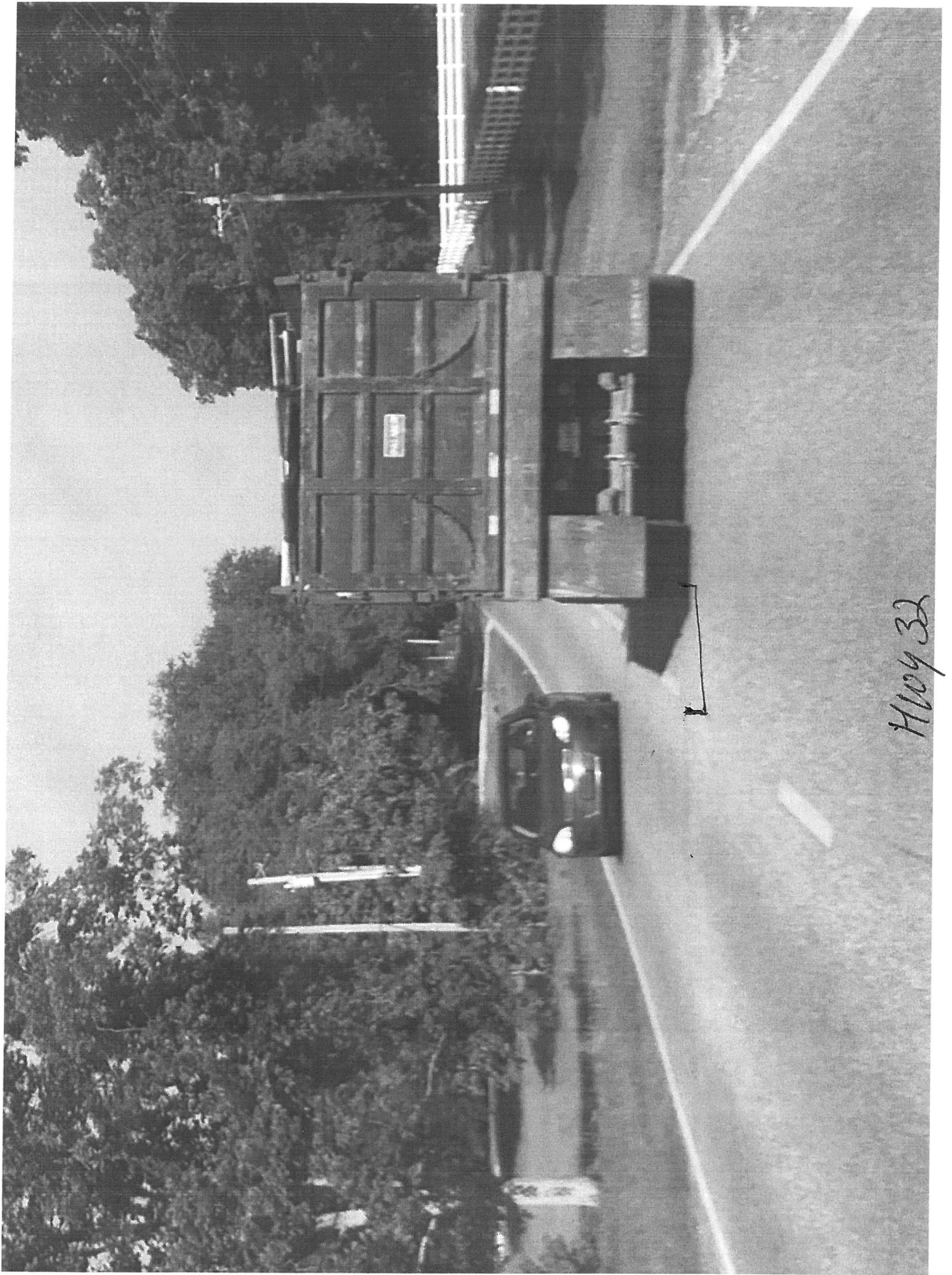




Single Colvert



3'-4' Burn to prevent flooding



Hwy 32



PIERCE RD