

The Fairhope Planning & Zoning Commission met Tuesday, July 5, 2005 at 5:00PM at the City Administration Building, 161 N. Section Street.

Present: Dick Charles, Chairman; Tim Kant, Dan McCrory, Bob Clark, Gary Moore, Lee Turner, Ed Brinson, Debbie Quinn. Christopher Baker Director of Planning & Zoning, Summer Woodson, Asst Planner, Betty Rivenbark, Secretary. Absent: Jean Wilson

The minutes of the June 6, 2005 meeting were approved with one amendment on motion by Ed Brinson, 2nd by Lee Turner. Tim Kant and Dick Charles abstained.

ZC05.14 Public Hearing to consider the request of Ms. Ruby Horne for a Zoning Change to B2 General Business contingent on Annexation at 7752 and 7766 Parker Rd(Generally located south of Parker Rd East of US 98) Christopher Baker said Ms. Horne is the Executor of the estate of the 4.39 parcel of property located outside the city and is zoned single family by the County. It is north of the property that is in the city owned by Mr Barnhill. His recommendation was to approve. The public hearing was opened with several people speaking, Sharon Lloyd asking to table to consider what being planned. Peter Garsed land surveyor said he would answer any questions. Arthur Corte spoke giving background history on Ms. Horne and her family and this property and said she had asked his advice of best use and he recommended B2. Jim Smith, attorney spoke for Horne family and said there are no plans, it is being offered for sale and just want to have zoning to sell parcel. H.C. Mullins said the north side is residential and they want to keep that way. Lanette Valeri, like what they have keep that way. The public hearing was closed. Tim Kant said no matter what decided they would have to come back for site plan review, that we have more restrictive rules than county and we would be looking out for neighborhood, Dan McCrory moved to recommend approval to the city council with B2 zoning. Ed Brinson 2nd the motion and it carried unanimously.

SD05.26 Final Plat Approval of Ellington Place(Generally located north of Windmill Rd. just West of State Hwy 181). Mr. Baker said this is 3 acre parcel and 11 lots with frontage on Windmill Rd. This was tabled at last meeting to ensure drainage works properly. Drainage is the big issue and a detention pond was created at the southeast corner. The outfall has been constructed and a pipe installed that flows east toward 181. There is also a swale ditch that has been created on the eastern property line. A swale ditch has just been created along the north property line. He said the ditches have been graded to flow the water to the pond and he and Tommy Long have also inspected these improvements. He also said the developer has agreed to gutter the homes to the street and there will also be a note on the plat that fences cannot cross a drainage easement.

He recommended approval and require that the engineer certify grades before CO's are issued. If the structure is occupied without a CO the builder will be taken to city court for remedy. Dan McCrory moved to untable. Debbie Quinn 2nd the motion and it carried unanimously. Mr. Baker also said he talked to the highway department about water problem at Hwy 181 and they are aware of it and saw no problem to the traveling public. It is due to be widened to a four lane in the future anyway. Chis Baker said he also met with Ms. Adler and Mr. Moody and that they resolved their problems. Mayor Kant instructed Mr. Baker to get with the engineer of record and work out the problems. He said the engineer of record should sign off on each house as it is built and they have responsibility for 13 years after subdivision put in through E & O insurance. Lee Turner moved to accept staff recommendation Ed Brinson 2nd the motion and motion carried unanimously.

SD05.32 Final Plat Approval of Hollowbrook Phase 2(Generally located west of State Hwy 181 just south of Hwy 104). Mr. Baker said this is 15.7 acres and 45 lots and was tabled at the June meeting in order to get the engineer together with some adjacent owners who had some drainage problems. He recommended approval. He said the issues have been addressed and they talked to the people. John Avent said talked to Mr. Davidson and Mrs. McGeough. Lee Turner moved to approve staff recommendation. Ed Brinson 2nd and motion carried unanimously.

SD05.33Preliminary and Final Approval of Minor Subdivision Pamela Court of Barnwell(Generally located north of Baldwin County Highway 1 and West of Mary Ann Beach Rd) Summer Woodson said the property is located outside the city containing 12.93 acres and they are creating a 4 lot minor subdivision. Ms. Woodson said because the lots are over 3 acres in size they are asking for a waiver from the storm water standards. Her recommendation was to approve as requested. Seth Moore represented Mr. Emery Childress. And it was noted this was 1/3 of 40 acre parcel. He said the county gave a variance on the driveway but Mr. Childress is putting in a gravel road. He said the soil map showed good sandy soil so there will be no problem when health department approval sought. Lee Turner moved to accept staff recommendation. Ed Brinson 2nd the motion and it carried unanimously.

SD05.37 Preliminary Plat of The Waters(Generally located west of State High 181 and North of Hwy 104). Mr. Baker said this is a 95 acre parcel that is proposed with 89 residential lots zoned as a PUD and came before the Planning Commission previously and was approved by the City Council.

Matt Bell said several items addressed. Staff has requested FFE be provided because there are lakes and lots of topo associated with the property and has so advised the developer, who will ensure that the FFE's are set and will be on the plat. His recommendation was to approve working with 911 on street names. He said the water service did get worked out. Lee Turner moved to approve staff recommendation Ed Brinson 2nd the motion and it carried unanimously. Tim Kant said this will come back as we will be updating the water lines.

SD05.38 Final Plat approval of Highland Bridges Phase 2(Generally located south of County Rd 32 and East of Cty Rd 13). Summer Woodson said this property is located outside the city and contains approximately 20.20 acres with 14 lots. She said all issues have been addressed and recommended approval. Dan McCrory moved for approval Lee Turner 2nd the motion and it carried unanimously.

SD05.39 BA-101 Preliminary Plat of Summer Lake Phase 2A(Generally located off of Manley Rd just south of Cty Rd 44) Summer Woodson said this property is not located in the City and is not currently zoned. They are proposing to create 33 lots. Discussion brought out that this was unpaved road and Mr. Baker said County agreed to pave. Approval was recommended. Lee Turner moved to approve staff recommendation and approved subject to road being paved before final approval given. Motion carried unanimously.

SD05.40 Final Plat Approval Eagle River Retreat Partners of Pelican Park Phase 1(Generally located north of Cty Rd 1 and West of Mary Ann Beach Rd) Summer Woodson said Orion Engineering is representing Eagle River Retreat and the property is located outside the city containing approximately 9.83 acres. They are proposing 7 lots. Approval was recommended. She said that a letter from the county commission that they would clean out the ditch was a stipulation and they have produced that, that the ditch needed to be graded and they have done that and the entrance to the driveway sodded which has been done. Brad Peacock said they have provided a retention pond for this phase. Dan McCrory moved that approval be given with condition that if the county does not clean out ditch the developer will before final plat approval give. Ed Brinson 2nd the motion and it carried with one no vote by Bob Clark

SD05.41 Preliminary Plat of the Magnolias(Generally located north of Gayfer Ave. Ext. across the street from Whitegrove SD) Mr. Baker said Scott Hutchinson of HMR was representing Mr. Harless. That drainage is

the big issue with this property. It was explained that the engineer has designed the ponds to release at the 2 year rate for the 100 year storm. And the plans have indicated the highwater mark for the 100 year storm and it does not get into the lots. He recommended approval subject to rewording the note regarding the soils. Mr. Hutchison made a presentation explaining what he had done for drainage. Tim Kant asked if the water still going towards Moseley Road and he was told yes. It was suggested having another engineer look at this before approval given that in 30 days another engineer could look at and Mr. Hutchison could get with people with concerns. Bob Clark moved to table for 30 days and bring back at August meeting also resolve question of city gas line being in ditch that county won't clean out. Dan McCrory 2nd the motion and it carried with one abstention by Gary Moore.

SD05.42 Final Plat approval of Hollowbrook Phase 3(Generally located west of State Hwy 181 just south of State Hwy 104)Mr. Baker said this is a 10.37 parcel of land and they are creating 31 lots. Staff recommendation was to approve. He said there was an unusual design to capture street water runoff at the end of Woolrich Avenue and the engineer has been put on notice that the city will monitor this and if it appears to not work it will have to be reconstructed within the two year period. Discussion led to a motion by Tim Kant to approve as per staff recommendation. Ed Brinson 2nd the motion and it carried unanimously.

SD05.49 Final Plat approval of Summer Lake Phase 1(Generally located off of Manley Road just south of County Road 44) Summer Woodson said that the property is not located in the City and is not zoned. Sixty one lots are being planned. Staff recommendation was to approve. John Avent was representing the owners. Tim Kant moved to approve as per staff recommendation, Lee Turner 2nd the motion and it carried unanimously.

Tim Kant said that we need to instruct staff about giving out information if it has not been provided by the time the packets have been prepared and recommended giving a report at the next meeting. All agreed.

There being no further business meeting was duly adjourned at 7:00 PM.

Richard N. Charles, Chairman

Betty Rivenbark, Secretary