

The Planning & Zoning Commission of the City of Fairhope met Monday, November 7, 2005 at 5:00 PM at the City Administration Building, 161 N. Section Street in the Council Chambers

Present: Dick Charles, Chairman; Tim Kant, Dan McCrory, Bob Clark, Gary Moore, Jean Wilson, Lee Turner, Ed Brinson, Dan Stankoski. Summer Woodson, Asst. Planner, Betty Rivenbark, Secretary

The minutes of the October 3, 2005 meeting were considered and approved on motion by Gary Moore, 2nd by Dan McCrory and unanimously carried.

A motion was made by Bob Clark, 2nd by Ed Brinson to untable agenda items B and C. Motion carried unanimously.

ZC05.24 Public hearing rezone request of John M and Patricia K Johnson from R2- Single Family Residential to R4 Low Density Multi-Family for property located at 52 N. School Street. Summer said this contains .34 acres and supports the plan as it encourages a transition from B2CBD area to R-2 Single Family to the east. Recommendation was to approve as presented. Mr. Charles opened and closed the public hearing with no comments. Bob Clark moved to recommend approval to the city council as per staff recommendation. Ed Brinson 2nd the motion and it carried unanimously.

SD05.62 Minor Subdivision The Fields property of Alex Fields (Generally located near the northeast corner of State Highway 181 and County Road 24). Summer said drainage calculations and plans have been provided and FFEs have been set for each lot. The drainage easement in the back of the lots that was questioned at the October meeting has been changed to a 15 foot common area for retention, that the property is located outside the city and is not zoned and they are proposing to create 6 lots and are requesting a waiver from the requirement to install a fire hydrant 450' apart. This was held over from the last meeting as we had not received supporting documents from the county but have received them now. Staff recommendation was to approve providing that the owner does install the required fire hydrants no more than 450' feet apart. Mr. Moore stated his reasons for the request to not have to put the fire hydrant within the 450'. Dan McCrory told him this was implemented to improve our insurance rates. Jean Wilson moved to approve subject to fire hydrant being put in no more than 450' apart as requested. Ed Brinson 2nd the motion and it carried unanimously.

SD05.65 Preliminary Plat approval of Copper Key/A.R.K. Builders. (Generally located on the south side of Lawrence Rd just east of Quail Creek Estates) This was the other item carried over from last month at the

request of the developer. Summer said this property is located outside the city and is not zoned. It contains approximately 13.04 acres and they are proposing to create 19 lots. Staff recommendation was to approve. John Avent was representing the owners. He said there were some questions regarding the drainage plans but they have contacted the adjoining property owners and obtained a 15' strip on the south that will allow drainage pipes to be run from the detention pond to the existing ditch to the south and the water will be directed to the south not across adjacent property as shown in previous plans. Further discussion led to a motion by Ed Brinson to accept staff recommendation and approve. Dan McCrory 2nd the motion and it carried unanimously.

SD05.68 Minor Subdivision request of Craig Dyas for approval of Nichols East(Generally located on the south side of Nichols Avenue just east of Greeno Road) Summer said the property is located inside the city and is zoned M-1 and contains 1.11 acres and a 2 lot commercial subdivision is proposed. She said further that the developer is asking for a waiver from providing drainage calculations and a note can be placed on the plat that they will be required at time of building permit issuance. Mr. Dyas spoke to the commission and said that he will provide drainage calculations at the time the building permit is sought. Jean Wilson moved to approve with drainage calculations being required at time of building permit. Ed Brinson 2nd the motion and it passed with two votes against motion: Gary Moore and Bob Clark.

SD05.70 Preliminary approval of Quail Creek Joint Venture/Quail Creek Phase V(Generally located on the north side of Quail Creek Drive just west of Quail Creek Phase IV) Summer said the property is located inside the city and is zoned R-2 and contains 24.54 acres and a 57 lot subdivision is proposed. Recommendation was to approve with note on the plat stating that this phase is adjacent to property reserved for a future golf course. It was noted that the masterplan was approved in the 80's and they are trying to meet the spirit of the comprehensive plan. Ack Moore spoke saying that the blocks are 650 ft long with one cross street in the middle, there are no stub outs to the east or west, it is a looped street. He said he did not have flow calculations today but they plan to put in an oversized 8" line. A motion was made by Tim Kant to approve with note on the plat that land to the west is reserved for future golf course. Dan McCrory 2nd the motion. Lee Turner asked if anything would be in restrictive covenants regarding the wetlands. Ack Moore said that it would say they could not be built on and the wetlands could not be used as part of buildable area. Ack also said FFE's were being furnished on all lots. Motion carried unanimously.

SD05.71 Preliminary Approval of Hunter's Glen Phase IV, land of Lennart Holmberg(Generally located on the east side of County Road 13 just north of Feather Trail) Summer said that this property is not located inside the city and is not zoned and it contains approximately 14.45 acres and a 21 lot subdivision is proposed. It was noted that the previous phases used septic systems and the lots are big enough to have septic systems however city sewer is available, and if available they are required to hook up. Jimmy Rogers of McCrory Willilams spoke for Mr. Holmberg and asked a waiver for the street length and tying in to sewer. Dan McCrory said that sewer is available on Hwy 13 now. Further discussion led to a motion by Bob Clark to recommend approval with waiver of the street length but tie in to city sewer. Dan McCrory said they can put in a low pressure sewer system. Ed Brinson 2nd the motion and it carried unanimously.

SD05.72 Preliminary Plat approval of North Station(Generally located on the north side of Gayfer Avenue Extension just north of River Station subdivision). Summer said the property is not located inside the city and is not zoned and contains 19.79 acres and they are proposing a 49 lot subdivision and all requirements have been met. Staff recommendation was to approve. Ray Moore was representing the developer. Discussion led to a motion by Jean Wilson to approve as presented. Lee Turner 2nd the motion and it carried with two abstentions by Gary Moore and Ed Brinson.

SD05.73 Preliminary Plat approval of The Willows/IRC Holding, LLC (Generally located on the north side of County Road 48 just east of County Road 13) Summer said this property is not located inside the city and is not zoned and contains 43.66 acres and a 54 lot subdivision is proposed. If approved the owners will apply for annexation into the city and R-1 minimum requirements are being met. Staff said that because of the drainage and wetlands, this development needs to be considered very carefully. A second engineering opinion may be a good idea and recommended holding off until December meeting to get results. Scott Hutchinson of HMR was representing the developer and said he knew there were sensitive drainage issues and said they will be releasing only what drains, will take other water to large pond. He was asking for approval of Phase I and make wetlands area Phase II. He said the wetlands would not be disturbed. Tim Kant asked if they considered any other properties in their plans and he said yes. Mayor Kant commended the design, Scott said there will be a natural flow

Further discussion led to a motion to approve by Tim Kant subject to a second engineering opinion concurring with design. Bob Clark said he could

not vote as it is a sensitive drainage area, does not hold the water now. Lee Turner 2nd the motion with 2nd engineering opinion, Gary Moore abstained. Motion carried with one abstention by Gary Moore and one no vote by Bob Clark. Scott said they have designed to lake to hold 3 times the 100 year storm. Bobby Havranek a resident who lives on Fairhope Avenue expressed opinion about building anything else as there are water problems there now.

SD05.74 The Meadows at Point Clear/Dairy Road Investments, LLC

(Generally located on the east side of County Road 3 just south of Dairy Road) Summer said the property is not located inside the city and is not zoned and it contains 34.04 acres and they are proposing a 71 lot subdivision. Staff recommendation was the subdivision itself meets our subdivision regulations however, when the surrounding area is taken into account, the comprehensive plan could support a denial or a request to decrease density. John Avent of EDS was representing the developer. He said the east side property owners had lots of concern about the number of lots and size of lots adjacent to their property. He said they planned to eliminate stub out street to the east. Further discussion led to a motion by Gary Moore to approve, Dan McCrory 2nd and motion carried unanimously.

SD05.75 Request of the City of Fairhope Gas Department for 11-52-11 review of a gas main extension in Barnwell from intersection of Cty Rd 11 and US 98 east to Chris Hire Road. ADOT permission had been given. Bob Clark moved to approve, Lee Turner 2nd and motion carried unanimously.

IR05.09 Request of the City of Fairhope to require Finished Floor Elevations was postponed until the December meeting.

IR05.10 Request of Frank Leatherbury to address the commission regarding the property located at the corner of Gayfer Avenue and Greeno Rd. Frank Leatherbury discussed different design options with the Commission regarding the 12 acres along here. He said Ben and Betty Barnhill are not on board at this time. He told of how he would like to develop a neighborhood village center with commercial fronting on Greeno Rd on the first floor with living units on the 2nd floor, with no curb cuts on Greeno Road. He was told it was a good concept, next step would be to visit the neighbors and solicit their input.

Dan McCrory mentioned he would like to bring the flow modeling in water and sewer specifications into subdivision regulations. This will be heard at the next meeting.

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Meeting was duly adjourned at 6:35 P.M.

Richard N. Charles, Chairman

Betty Rivenbark, Secretary