

The Planning & Zoning Commission of the City of Fairhope met Monday, May 5, 2008 at 5:00 PM at the City Administration Building, 161 N. Section Street in the Council Chambers.

Present: Jean Wilson, Chairman; Tim Kant, Fran Slade, Dan McCrory, Gary Moore, Dick Charles, Lee Turner, Bob Gentle. Gregg Mims, City Planner; Jonathan Smith and Nancy Milford, Planning Department; Chris Gill, Attorney; Betty Rivenbark, Secretary. Absent: Bob Clark

Jean Wilson welcomed our new member Fran Slade.

The minutes of the April 7, 2008 meeting were duly approved on motion by Dick Charles, 2nd by Bob Gentle. Gary Moore and Fran Slade abstained. Motion carried.

SD08-06 Final Plat approval of Fairhope Village at Fly Creek, Phase II.

Volkert & Associates is representing the owner Arthur Corte. Property generally located on the southeast corner of the intersection of US Highway 98 and Parker Road. Jonathan Smith gave the staff report saying the property is zoned as a PUD and has a total site area of 42.28 acres with three lots indicated on the plat. The Fairhope Village at Fly Creek subdivision received preliminary plat on December 3, 2007 and the PUD zoning was granted by the City Council on October 23, 2006. This property is being developed in phases and Phase I of the development received subdivision approval on April 7, 2008. This subdivision application is for the second phase of the development and includes Lot 3 as indicated on the Phase II plat. The initial site plan for the Fly Creek PUD shows the property included in lot 3 of the subdivision to be developed into residential lots and townhomes. Staff recommendation was to approve the Fairhope Village at Fly Creek, Phase II. Steve Pumphrey was present representing Volkert & Associates and said he would be glad to answer any questions. Ms. Wilson said that two people had signed up to speak and called on the first one who was Dr. H.C. Mullins of 7395 Parker Road. Dr. Mullins had given the commission members copies of two letters right before the meeting, both pertaining to this project. He asked that they be included in the minutes and then referred to the issues he had stated in his letters, safety, traffic flow and road quality. He had submitted the first one in July 2006. Letters shown below:

H. C. Mullins, M.D.
7935 Parker Road
Fairhope, Alabama 36532

May 5, 2008

Fairhope Planning and Zoning Board
P.O. Box 429
Fairhope, Al 36533

Re: Z C 08-06

Dear Board Members:

The following is submitted in response to the latest proposal for the Fly Creek PUD. Attached is a copy of a letter outlining my earlier concerns, submitted to you in August of 2006.

I am in general very supportive of the development as described, but have serious concerns limited to Parker Road:

Safety
Traffic flow
Road quality

Recommendations:

- 1) A requirement for turning lanes for traffic both entering and exiting Parker Road on the east side of US 98
- 2) That the design and specifications for upgrading/rebuilding Parker Road require:
 - a. That the base requirements be sufficient to sustain the type of traffic anticipated with full development of the PUD, commercial as well as residential. (The current base may be totally inadequate.)
 - b. Parker Road to be a divided 4 lane boulevard (as assured at the public meeting held to rezone a 5 acre residential parcel on Parker Road to business).
- 3) The sidewalk on the south side of parker Road extend east from US 98 to Highridge Road.

Rationale:

- 1) The short distances from the US 98 Parker Road intersection will allow only a few cars between the entrance/exits to the proposed grocery store/commercial area resulting in severe congestion that can be alleviated somewhat by turning lanes as suggested above.
- 2) The sidewalk as currently shown ends short of Highridge road, failing to provide safe walking for both children and adults living on Highridge Road.
- 3) Parker Road was originally a dirt and gravel road. The base under the surface asphalt put in place when it was converted to a paved road is questionable. The anticipated traffic to this first phase of commercial development could result in severe damage.
- 4) Initially, a 4 lane road will to necessary to effectively handle cars entering and exiting the PUD from Parker Road, especially the congestion mentioned in #1

above, and even more so with full PUD development.

- 5) The design and specifications required for Parker Road in this initial phase of development must take into account the future full development of the PUD with the tremendous amount of anticipated traffic on Parker Road to and from both commercial and residential areas. The initial design and specifications for a divided 4 lane road with an adequate base is needed for this initial phase but is absolutely essential for the long term.

Sincerely,

H. C. Mullins, Jr.

H. C. Mullins, M.D.
7935 Parker Road
Fairhope, Alabama 36532

July 28, 2006

Fairhope Planning and Zoning Board
P.O. Box 429
Fairhope, Al 36533

Re: Z.C 06.12

Dear Board Members:

The following is submitted in response to your letter of July 14th regarding the proposed Fly Creek PUD.

My home and property lie immediately adjacent to and north of the proposed development. I have reviewed the plat made available earlier and have met with both the developer and the engineering company. Though I am supportive of the development as described, I have some questions, concerns, and recommendations that are listed below.

Questions

Safety:

1. What are the recommendations of the City of Fairhope Traffic Committee for the US 98 corridor between Highway 104 and Parker Road both in general and for the future, as regards this proposed development?
What do traffic studies of the City suggest?
2. What is the position of the Baldwin County Commission with regards this corridor as above?
3. What are the recommendations of the State DOT regarding traffic plans for this development and the future?
4. What is the request of the developer regarding traffic flow, traffic lights, etc to accommodate the development?

Privacy:

1. What specific provisions are planned for privacy ?
2. What are the specific locations and dimensions for a "green belt"?
3. What are the specific plans for entering the proposed development from the East end of Parker Road?

Future Access To Adjoining Property:

What are the location and dimensions of access from the proposed development to both the East and South side my property?

Concerns and Recommendations

Safety:

The Problem

The US 98 corridor from State Hwy 104 to Parker Road is extremely dangerous and unsafe. The proposed Fly Creek Project along with the proposed East Bay Development will result in a tremendous increase in traffic along this corridor and on Parker Road proper, rendering it much more dangerous and much less safe.

Conditions for Support of Development

Unless a meaningful solution to the anticipated danger can be assured, I, and most all residents in the adjoining area strongly oppose the approval of this development.

Recommendation

After speaking with Fairhope, Baldwin County, and State DOT officials, the following is my personal recommendation for traffic flow on the US 98 corridor from 104 to Parker Road.

- A proper interchange at Highway 104 and US 98
- A proper interchange at Parker Road and US 98
- Close all crossovers on US 98 between 104 and Parker Road
- At the intersection of the north extension of Section Street and US 98, allow only a right turn (South).
- Allow only right turn in and right turn out on US 98 from 104 to Parker Road
- A proper interchange at the intersection of Section Street and Highway 104

Privacy:

An adequate green belt be present on all boundaries to assure privacy for adjacent property owners.

A privacy fence be placed between my property and the proposed development.

The entrance to the proposed development at the East end of Parker road be engineered so that it does not violate the privacy of my personal property

Future Access To Adjoining Property

Provision for future access to my property on both the East and south side.

I will attend the hearing on August the 7th and look forward to hearing your responses and possibly making some verbal comments.

Sincerely,

H. C. Mullins, Jr.

Discussion was held between the commission members and Dr. Mullins on these concerns with all agreeing that they are legitimate concerns. Paul Ripp of High Ridge Road also spoke saying ditto to letters being included in the minutes and that the Parker Road intersection is a nightmare now, that the boulevard question has come up before. Mr. Pumphrey was asked how the traffic is proposed to be handled and what are the planned improvements, he said he did not know, did not have the plans and was not prepared to answer this question tonight. Gregg said currently ALDOT has a permit pending on Parker Road Phase I and as the balance of these come in they will have to come back and submit preliminary plat with traffic data. He said when the PUD was approved there were discussions on improving Parker Road and that plans have been submitted to ALDOT and they are looking at them right now and there will be extensive road improvements. Included in these improvements are additional turn lanes and deceleration lanes on Greeno Road, additional lanes on Parker Road, and a traffic signal at Parker Road and Greeno Road. He said the question of the base being strong enough is a legitimate concern and that will surely be looked into. He said Wayne Curry of ALDOT is here tonight if anyone wanted to ask him questions. Further discussion led to Dick Charles saying that since these letters were not presented until meeting time he moved that approval be delayed 30 days to give time to answer the questions presented. Motion died for lack of a second. Bob Gentle said the issue tonight is not the traffic issue. Lee Turner agreed saying that all traffic concerns would be addressed and moved to accept staff recommendation to approve. Motion carried with one no vote by Dick Charles and one abstention by Fran Slade.

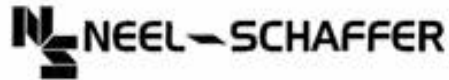
SD08-07 Final Plat approval of Steel Branch, Thompson/Achee. EDS, LLC. is representing the developers. The property is generally located just south of the street stub-outs for Quail Creek Drive and Dover Lane. Nancy Milford gave the staff report saying the property is zoned R2 containing 9.55 acres and 18 lots are planned. Preliminary approval was given on July 2007. Staff recommendation was to approve contingent upon any deficiencies identified at the time of final inspection shall be corrected. Jeff Wright 18960 Quail Creek Drive spoke citing a huge drainage problem, that his back yard is washing away, that on an original drawing a swale was shown and that has gone away. George Thorpe, 18951 Quail Creek Drive spoke citing drainage, asking about lighting of sign and also requesting a speed hump. He said that he heard villas were going to be put in and was told no, that these are single family residences. Joe Bullock in response to comment about swale not on plans said that it was decided to keep some trees that would have been removed to put swale in instead of doing swale decision was to keep trees, and they were contacted today about drainage and will definitely look into problems mentioned, they will work with the property owner. He also said some of the problem might be Copper Key not this development. He said there is a catch basin at the rear of the property. Jean Wilson asked if the water flowed south and he said yes. Bob Gentle said isn't there a catch basin at the southeast corner of Copper Key, Joe said yes. Gregg and his staff were also asked to work with Mr. Wright and EDS in solving drainage problems mentioned. All comments answered, a motion was made by Dick Charles to accept staff recommendation for final plat approval contingent upon any deficiencies identified at the time of the Final Inspection shall be corrected. Gary Moore 2nd the motion and it carried with one abstention by Fran Slade. Mayor Kant

told Mr. Thorpe that he should direct his request for a stop sign to his office to be considered.

IR 08-03 Request of Pierce Kaylor for Informal Review of a 28 unit development for property located on the northeast corner of Fairhope Avenue and Brown Street. This item was pulled from the agenda as all information had not been submitted.

UR 08-05 11-52-11 Review request of Water and Sewer Department of a proposed sewer line installation on Creek Drive. Dan McCrory said approximately 1000 feet of two inch pe pipe will be installed on the west side of Creek Drive. Staff recommendation was to approve. Lee Turner moved to approve, Dick Charles 2nd the motion and it carried unanimously.

Under Old/New business - Jonathan Kiser, Traffic Engineer, Neel-Schaffer, Inc. gave a Planning Analysis Update on the 2007 approved developments. He said the update summarizes the results of the analysis performed by Neel-Schaffer requested by the City to evaluate the impact of the 2007 approved developments proposed throughout the City. The analysis is included below, the complete document with tables is located in the Planning Department:



Neel-Schaffer, Inc.
772 Howard Avenue
Biloxi, MS 39630-3822
Phone (228) 374-1211
Fax (228) 374-1216

January 30, 2008

Mr. Brently Gregg Mims
Planning Director
555 S. Section Street
Fairhope, AL 36533

REFERENCE: PLANNING ANALYSIS UPDATE
2007 APPROVED DEVELOPMENTS

Dear Mr. Mims:

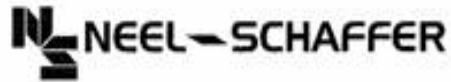
This letter serves as an update to the planning analysis in the Traffic Operations and Planning Report completed in April 2007. This update summarizes the results of a planning analysis performed by Neel-Schaffer as requested by the City of Fairhope to evaluate the impact of the 2007 approved developments proposed throughout the City.

The City identified twenty-two new projects to be included in the growth scenarios evaluated. The list of approved developments and their trip generation potential is attached in Table 1. The growth scenarios also included the four developments that were analyzed in the initial report last year. These developments include Wal-Mart Supercenter, Fly Creek, Fairhope Falls and Quail Creek Phases V and VI.

The planned developments approved by the City in 2006 and 2007 have been added to the base year 2006 traffic to evaluate the impacts on available capacity. No current year traffic counts have been conducted, and background growth rates have not been estimated. Therefore, the new project traffic is added to the 2006 volumes. We recommend conducting traffic counts again in 2008 or first quarter 2009, to identify the background growth in Fairhope.

The purpose of this analysis is to evaluate the remaining capacity and impacts on the City's infrastructure from approved developments. Capacity of existing roadways was based on the FDOT level-of-service tables developed for a Concurrency Management Program. A transportation model and classification of the City's roadways was utilized in the model to evaluate the impacts from proposed developments.

In Planning Area 1, in the southwest planning boundary of the City, the most restrictive link is Highway 98 between Monk and County Road 24. The capacity limitation on this 2 lane section of Highway 98 would be the most restrictive, as the available capacity is shown to be 438 vph. This should allow for approximately 440 new dwelling units on this link, provided background growth has not significantly changed.



Mr. Gregg Mims
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Planning Area 2, in the southeast planning boundary of the City, shows capacity limitations on County Road 32, east of County Road 27, with an available capacity of 283 vph. This should allow for approximately 280 new dwelling units on this link, provided background growth has not significantly changed.

Planning Area 3 shows Fairhope Avenue over capacity between Highway 98 and County Road 27, which was evident in our 2007 report as well. While widening to 3 lanes is anticipated to meet the short term growth needs, this roadway section is likely to warrant a four lane roadway section east of Highway 98 to meet the growing population and commercial traffic planned on Fairhope Avenue, specifically as it relates to the large vacant commercial parcel north of Fairhope Avenue just east of the Pelican Pointe Shopping Center.

State Road 104 is nearing capacity east of County Road 27 with 25 available peak hour trips. County Road 27 also shows capacity limitations south of Twin Beech Road with an available capacity of 294 vph.

Planning Area 4 shows North Section Street north of Volanta Avenue with a PM Peak hour volume of 1,250 vph and a capacity of -130 vph, thus over capacity.

Based on this analysis, 2008 ADT counts are recommended at the following locations:

- 1) Fairhope Avenue east of Highway 98
- 2) State Road 104 east of County Road 27
- 3) North Section Street north of Volanta Avenue

These counts will identify if the base volumes have increased (or decreased) by a significant margin.

If you have any questions or comments regarding this analysis, please call me at (228) 374-1211.

Sincerely,

NEEL-SCHAFFER, INC.

A handwritten signature in cursive script, appearing to read 'Jonathan Kiser'.

Jonathan A. Kiser, P.E., PTOE
Traffic Engineer

Attachments:

- Table 1 - 2007 Approved Developments
- Table 2 - Planning Area 1 Link Table Analysis
- Table 3 - Planning Area 2 Link Table Analysis
- Table 4 - Planning Area 3 Link Table Analysis
- Table 5 - Planning Area 4 Link Table Analysis



Under old/new business – Gregg Mims presented the SR 181 Access Management Plan prepared by Sain Associates, Inc. for the Alabama Department of Transportation of the redesign of the State Route 181 corridor in Baldwin County. This area is the section of SR 181 between approximately 2000 feet south of US 90 and extending southward to US 98, a distance of over 15 miles. Gregg said the cities of Daphne and Fairhope are working with ALDOT to employ the access management strategies in this PLAN as part of the region’s site plan review process and Wayne Curry is present tonight, he said the city has a good working relationship with ALDOT work hand in hand. Gregg did a slide presentation showing the information contained in the plan for the proposed four laning of this section of Hwy 181. The members had been furnished a copy of the plan and a copy is available in the Planning office.

Gregg also mentioned that as we move forward he would like input from the commission on adopting a policy on informal review of large projects and also mentioned the bus trip May 19th from 1-3 PM.

Meeting was duly adjourned at 6:15 PM.

Jean Wilson, Chairman

Betty Rivenbark, Secretary