

The Planning & Zoning Commission of the City of Fairhope met Monday, April 6, 2009 at 5:00 PM at the City Municipal Complex, 161 N. Section Street in the Council Chambers.

Present: Jean Wilson, Chairman; Jennifer Fidler, Bob Clark, Gary Moore, Dick Charles, Lee Turner, Fran Slade. Jonathan Smith, Planner, Nancy Milford, Chris Gill, Attorney; Betty Rivenbark, Secretary. Absent: Tim Kant, Dan Stankoski.

The minutes of the March 2, 2009 meeting were considered and approved as corrected on motion by Dick Charles, 2nd by Bob Clark with one abstention by Lee Turner. Motion passed.

Consideration of Agenda items:

A. Amend the Planning Commission By-laws regarding public participation. Jonathan said the amendments consists of the provision of having a public participation forum once per calendar year for general public comment and dialog, and limited public comment at regular planning commission meetings to public hearing items on the official planning commission agenda. Discussion followed with the members on the proposed changes (a copy had been provided to each member prior to the meeting). After all discussion a motion was made to accept the changes as presented and add to Article VIII 2nd paragraph to the ending sentence...except as otherwise determined by the chair. Also a grammatical correction in Article X Section 4. "of value". Motion was made by Gary Moore, 2nd by Dick Charles and unanimously carried.

B. Accessory Dwelling Unit – Jonathan brought up for discussion the proposed ordinance that the committee had been working on and that had also been presented to the commission tonight. He said many regulatory documents had been looked at and this draft was resulting work. He noted all parking is required to be pervious and that the area coverage is set forth in the zoning ordinance under property. He pointed out the ADU is not to exceed 900 sq feet and the owner is to live on site. Gary Moore thanked the committee members saying they held many meetings but were in no rush to finish, open to feedback. Jean Wilson thanked the committee and said this addresses issues and public concerns. After all discussion it was noted it will come back to us for adoption, go before the city council.

UR09.02 Request of the City of Fairhope Gas Department for an 11-52-11 review of a proposed 2" Gas Main extension on the west side of County Road 13 from Bishop Road south to County Road 24 approximately 2600 feet. Nancy Milford gave the staff recommendation which was for approval.

Lee Turner moved to accept staff recommendation, Dick Charles 2nd the motion and it carried unanimously.

UR9.03 Request of the City of Fairhope Gas Department for an 11-52-11 review of a proposed Gas Main Extension along County Road 3 from Brodbeck Lane, south to Battles Road. Jonathan Smith gave the staff recommendation which was to approve. Lee Turner moved to accept staff recommendation, Dick Charles 2nd the motion and it carried unanimously.

UR09.04 Request of Baldwin County Sewer Service, Clarence Burke, Jr. for an 11-52-11 review of a proposed 33,375 linear feet of sewer force main extension in the Fairhope Extra Territorial Jurisdiction, along Highway 181, County Road 27 and U.S. Highway 98. Nancy Milford gave the staff report and said that the applicant is requesting approval of sewer force main extensions for three different sizes of force main within the Fairhope Extra Territorial Jurisdiction along Highway 181, Cty Rd 27 and Highway 98. Jonathan Smith said that the applicant would like to amend his application to move the line from the east side of Hwy 181 to the west side, after ALDOT requested this change due to planned road expansion of Hwy 181. Michael Delaney represented the applicant.

The proposed force main sizes and corresponding areas are as follows:

Eight inch sewer force main (offering public sanitary service to both east and west sides of Highway 181)

.Construction of a force main originating and connecting to the Fairhope Public Utilities sewer force main on the east side of Highway 181 at Cty Rd 32, proceeding south on Highway 181 on the east side approximately 2,200 linear feet, then directional bore west under Highway 181 to Gaineswood Blvd and within Gaineswood subdivision as necessary to service customers.

.Continuing south on the east side of Highway 181 approximately 1,100 linear feet, then directional bore west under Highway 181 to Silverwood Drive and within Silverwood subdivision as necessary to service customers.

.Continuing south on Highway 181 on the east side approximately 11,275 feet.

Eight inch sewer force main:

.Continuing east on the north side of Cty Rd 27 approximately 2,200 linear feet offering public sanitary service to both the north and south sides of Cty Rd 27.

Six inch sewer force main:

.Continuing east on Sherwood Highlands Drive, on the north side approximately 2200 linear feet, offering public sanitary sewer to both the north and south sides of Sherwood Highlands Drive.

Eight inch sewer force main:

.Continuing south on Cty Rd 27, on the east side approximately 2800 linear feet providing sanitary sewer on both the east and west side of Cty Rd 27 to McKenzie Rd.

Four inch sewer force main:

.Continuing east on McKenzie Rd, on the north side approximately 4400 linear feet providing public sanitary sewer service on both the north and south side of McKenzie Rd and continuing an unspecified distance to Turkey Branch to service its customer.

Eight inch sewer force main:

.Continuing south on Cty Rd 27, on the east side offering sanitary service on east and west sides of CR27, approximately 500 linear feet to US Hwy 98, then directional bore under US Highway 98 to the south side.

Turning east on US Highway 98, approximately 1200 linear feet offering public sanitary service on both north and south sides of US Hwy 98 to Dominion Drive and within Dominion subdivision as necessary to service customers.

From intersection of Cty Rd 27 and US Highway 98 continuing west on US Hwy 98 on the south side approximately 5500 linear feet, offering public sanitary sewer service on both north and south sides of US Highway 98 to Key Allegro Blvd and within Key Allegro Subdivision as necessary.

The staff recommendation was to approve the proposed sewer line installations contingent upon:

1. The applicant shall provide a letter from ADOT approving the proposed sewer line installation on the west side of Highway 181.
2. The applicant shall provide a letter from the City of Fairhope Utilities Board and City attorney indicating approval of the proposed sewer line installations, and that said installations comply with all existing agreements between BCSS and City of Fairhope Utilities Board.

Discussion followed and Lee Turner moved to accept staff recommendation, Dick Charles 2nd the motion and it carried unanimously with the sewer line being placed on the west side of Hwy 181 as requested. Chris Gill pointed out that final approval rests with the City Council regarding serving Key Allegro, this was beyond our jurisdiction.

UR09.05 Request of the City of Fairhope Water and Sewer Department for 11-52-11 review of a proposed Sewer Force Main Installation on the north side of Highway 98. Jonathan Smith said the city is requesting approval of a sewer force main installation running east from Scenic Highway 98 along the north side of US Highway 98 to Key Allegro Mobile Home Park. This will contain 3 miles of 8" pipe. Staff recommendation was to approve. Lee Turner moved to accept staff recommendation. Jennifer Fidler 2nd the motion and it passed unanimously.

UR09.06 Request of City of Fairhope Water and Sewer Department for 11-52-11 Review of a proposed sewer force main installation along County Road 32 to Highway 181 and south along Highway 181 to Silverwood Drive. Jonathan Smith said his request was on the south side of County Road 32 from Lea Circle east to Highway 181. The line will extend on the west side of Highway 181, south from Cty Rd 32 to Silverwood Drive. Approximately 4200 feet of 6 inch pipe. Also the applicant is proposing to install 6500 feet of three inch pipe branching from the 6" force main installation into the Gainswood and Silverwood Subdivisions located on the west side of Highway 181. Staff recommendation was to approve. Lee Turner moved to approve as recommended. Dick Charles 2nd the motion and it carried unanimously.

Jonathan mentioned that he would like the Commission to think about creating a hospital overlay district. All thought this would be a good idea. Dick Charles said he would be glad to chair, Fran Faust will serve, ask Phil Cusa and have a City Council member.

Gary Moore brought up again a request for an ethics meeting. This to be passed on to the Mayor and invite all appointed officials. He mentioned the hurricane initiative meeting being held in Robertsdale tonight if anyone wanted to attend.

There being no further business, meeting was duly adjourned at 6:00 PM.

Jean Wilson, Chairman

Betty Rivenbark, Secretary