

The Planning Commission met Monday, October 4, 2010 at 5:00 PM at the City Administration Building, 161 N. Section Street in the Council Chambers.

Present: Jean Wilson, Chairperson; Dick Charles, Vice-Chair; Bob Clark; Gary Moore; Lee Turner; Jennifer Fidler; and Mike Ford. Jonathan Smith, Planning and Building Director; Nancy Milford, Planner; Emily Boyett, Secretary  
Absent: Fran Slade and Tim Kant

Chairperson Jean Wilson called the meeting to order at 5:00 PM and announced the meeting is being recorded. The minutes of the September 7, 2010 meeting were considered and Dick Charles moved to accept the minutes as written and was 2<sup>nd</sup> by Jennifer Fidler. Motion carried with one abstention by Jean Wilson.

Mrs. Wilson stated Mr. Moore has a conflict with agenda item B. IR 10.04.

**UR 10.14 Request of Southern Light for 11.52.11 Utility Review and Approval of the proposed underground installation of approximately 700 linear feet of fiber optic cable, Samantha McAllister.** The project will run along the east side of Young Street, just north of Twin Beech Road. Nancy Milford gave the staff report saying the method of construction shall be horizontal directional bore and existing handholes will be utilized. Two conduits will be installed; one for the fiber optic cable and one for locate wire. Conduit depth shall be a minimum of 36" deep and located within the right-of-way. Staff recommendation is to approve as requested, conditional upon the following two conditions: 1) the applicant shall work with the Water and Sewer Superintendent to ensure no existing water and/or sewer lines are impacted by the work; 2) all existing utilities must be located and proper separation must be maintained between utilities. No one was present to represent the applicant. Mr. Charles asked if the project would be on the east or west side of Young Street and Mr. Smith confirmed it would be on the east side. Lee Turner moved to accept the staff recommendation to approve the request with the following two conditions: 1) the applicant shall work with the Water and Sewer Superintendent to ensure no existing water and/or sewer lines are impacted by the work; 2) all existing utilities must be located and proper separation must be maintained between utilities. Dick Charles 2<sup>nd</sup> the motion and the motion carried unanimously.

Mrs. Wilson stated due Mr. Moore's conflict with the agenda item B. the Commission will move it to the end and have the Election of Officers first so that Mr. Moore may leave.

**Election of Officers – Mrs. Wilson said the Commission's Bylaws state the election of the Chairperson, Vice-Chair and Secretary shall take place at the October meeting every year.** Bob Clark moved to re-elect Dick Charles as Vice-Chair. Jennifer Fidler 2<sup>nd</sup> the motion and the motion carried unanimously. Dick Charles moved to re-elect Jean Wilson as Chairperson. Jennifer Fidler 2<sup>nd</sup> the motion and the motion carried unanimously. Jennifer Fidler moved to re-elect Emily Boyett as Secretary. Gary Moore 2<sup>nd</sup> the motion and the motion carried unanimously.

Gary Moore has a conflict with Item B. IR 10.04 and left the room.

**IR 10.04 Request of HMR, LLC for an Informal Review of a PUD Amendment for Old Battles Village, Christopher Baker.** The property is located on the north side of Old Battles Village between Greeno Road and Section Street. Nancy Milford gave the staff report saying the property is located inside the City of Fairhope and is zoned PUD. The approved Master Plan consisted of two phases with approximately 137.44 acres and 291 lots. The property has been dormant since the Phase 1 final plat approval and no homes have been constructed; however, the infrastructure has been installed but needs significant repair. The applicant proposes to reduce the lot sizes and increase the number of lots in Phase 1 from the original 120 lots to 173 lots. The original lots are typically 80 – 91 feet wide and are between 12,000 – 15,000 square feet in size. The new lots are proposed to vary from 45’ to 73’ wide. The existing roadway and infrastructure is not proposed to be changed. Staff’s willingness to support this amendment will depend on the active/passive recreational amenities provided by the applicant in the additional open space area. The large open space area should be configured in a way that can be easily maintained by the future property owners’ association. Staff would also like to see a portion of open space in a centralized area on the western side of Phase 1. Staff recommendation is for the Commission to provide insight and comments regarding the proposed PUD amendment. Matt Sankey came forward and addressed the Commission saying they are exploring the possibility of providing townhomes which are a more marketable housing in the current market. He said the development was bought out of foreclosure by a company in Montgomery, Phoenix Real Estate. Mrs. Wilson asked if both phases were purchased and Mr. Sankey said yes. Mrs. Fidler asked if there are any developments in Fairhope that are similar to what he is proposing. He said it would be 40, 50, and 60 foot lots. He said it would be brick construction but he did not have a style in mind yet. Mrs. Fidler said if the density increases then the stormwater will increase and the ponds were designed for the original layout. Mr. Sankey stated the engineer would make sure the ponds would be able to handle the stormwater but the overall density for the development will not change. Mrs. Fidler stated the green space is primarily in the second phase and asked who would maintain the existing green space. Mr. Sankey said they would include some of the green space in the first phase if they received approval and it would be maintained by the property owners’ association. Mr. Smith stated in the PUD amendment the applicant can propose architectural designs or guidelines for construction. Staff would like to see the open space not be a burden on the property owners’ association but an asset for the development and do something creative like planting wildflowers or a community garden to prevent it from becoming a burden. Mrs. Fidler stated this area has been a maintenance issue for the City and the streets have been damaged even though the development is vacant. Mr. Sankey responded they have spent a lot of money cleaning it up and they are keeping it cut and would like to have the City block off the streets. Mr. Charles asked if a marketing survey has been done and if the type houses proposed are sellable and Mr. Sankey responded yes, the footprints they are looking at are selling for approximately \$200,000 and under. Mr. Ford commented on the size of the lots and asked where the homeowners would store their cars or boats since they can not access the back of the lots. He asked if they considered installing alleys and Mr. Sankey stated he was not opposed to alleys and he would look at setting an

acre aside to secure for storage. Mr. Turner agreed with Mr. Ford's comments and wants to see more of the green space and the community aspect. Mr. Clark stated he went out and looked at the property and has received calls over the past months regarding the state of the property. He felt anything put on the property would be an improvement over what is there now. He stated he agreed with the alley recommendation. Mrs. Fidler said alleys work well in Fairhope and for Public Works. Mr. Baker stated they are not changing the depth of the lots and 10 or 15 feet could be taken off each side for an alley. Mrs. Wilson stated the Commission is open-minded so that something can be done there and the restrictions could even be similar to Quail Creek Villas, where the lots are small but they are neat. Mr. Charles asked if green space could be added in the high density area to relive some of the pressure and Mr. Sankey said they could look at moving some of the green space around. Mr. Ford asked if this development would jeopardize the prime area surrounding it because of the small lots and state more information is needed. Mrs. Wilson wants to see the type of houses and what look they are going for. Mr. Smith stated the overall PUD density is not changing; they are just pushing the area together.

### **Old/New Business**

**Medical Overlay District –Jonathan Smith.** Mr. Smith stated the Committee would be meeting on Wednesday, October 6th.

Having no further business, Bob Clark moved to adjourn and was 2<sup>nd</sup> by Lee Turner. Motion passed unanimously and the meeting was duly adjourned at 5:39 pm.

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Jean Wilson, Chairperson

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Emily Boyett, Secretary