

Medical Overlay District Committee Meeting, July 7, 2011 at 5:30 p.m. in Delchamps Room at the City Municipal Complex located at 161 N. Section Street.

In attendance: Jonathan Smith, Dick Charles, Dan Stankoski, Rick Kingrea, George Roberds, Phil Kusa (Thomas Hospital-Retired), William McLaughlin (Thomas Hospital)

Taking minutes: Kim Burmeister

Guests: 9 signed in from the community

Mr. Charles opened the meeting at 5:30 p.m. Everyone on the Board introduced themselves.

Mr. Charles went over the purpose of the Medical Overlay District, which is to give the hospital room to grow and to keep medical services consolidated in one area.

Mr. Smith said that the MOD is not being developed just for Thomas Hospital; it will also provide for other medical services not related to Thomas Hospital (if adopted). Medical industry is considered a clean growth industry.

Mr. Charles said that this ordinance was created by plagiarizing Punta Gorda, FL existing MOD ordinance. Mr. Smith said other similar areas' MOD ordinances were also studied.

Mr. Charles referred to the map/charts that Mr. Smith displayed, which showed the current zoning of each parcel in the proposed MOD. Some property is already zoned for medical use. Other parcels are zoned for industrial; some zoned for residential (single and multi-family); a small portion is unzoned (in the county). The underlying zoning districts will not change. It will just offer an option for change to medical use if property owner so desires.

It was noted that most property owners in this area would prefer a medical use versus an industrial use.

Mr. Charles said that Thomas Hospital has recently undergone an expansion and asked in there are any plans for more expansion. Mr. McLaughlin said not at this time. The most immediate need would be for medical offices but Thomas Hospital has no plans to develop any such offices at this time.

Mr. Smith said that the revised draft (Draft number 5) addresses all of the concerns previously mentioned:

1. Specifies permitted use to remain the same. Example: for existing residential, if house burns down, it can be rebuilt (permit pulled) within one year; or it may be possible to extend this one year period through an extension request, which costs \$100. The reason for the one year period is to protect the neighborhood—demolished or damaged properties could become an eyesore or a nuisance to the area if not addressed within a

year. It was noted that once permit is pulled, the builder/owner has 6 months to begin the project before permit expires. Mr. Smith noted that this timeline may be amended in the future, if there are several extension cases.

2. Permitted uses and structures are listed.

3. Uses permitted subject to appeal are listed (such as churches, chapels, crematoria)

Mr. Hutchinson said that he is against excluding residential use; Mr. Smith explained that residential use would be allowed to continue as long as the structure is there, and even if structure is damaged, there is an option to rebuild within one year. This would be a “non-conforming use”, as listed in the existing Zoning Ordinance, Article VII.

Mr. Roberds said that residential use in the MOD by right needs to be reviewed very hard, since this could cause conflict in the future. (i.e. residents complaints of living next to a medical office). Mr. Smith said that he agrees; however the option to remain residential had to be put in draft, for consideration, since this was a big concern of the property owners.

Mr. McLaughlin said that there are no plans as of yet to build a heli-port, and the existing buildings probably are not built to code to withstand a heli-port.

Mr. Stankoski said that this is the perfect time to be planning a MOD, since the economy is slow. The economy will come back.

Mr. Smith reminded everyone that the MOD would take the hassle out of rezoning property, and could potentially be a money saver for property owners.

Question was asked if there was a list of all the non-conformities. Mr. Smith said that it would be impossible to list all of them without assessing each and every property within the proposed MOD district. He reminded everyone that the “non-conformities” section is already in effect in the existing Zoning Ordinance.

Mr. Smith said establishing a MOD might encourage annexation of non-zoned properties, since this would allow for additional uses.

Traffic was discussed. The City would work with AL-DOT for U. S. Hwy. 98 improvements, if higher traffic volume in this area is an issue. AL-DOT is ultimately responsible for U. S. Hwy. 98 It was noted that Ingleside, a city road, would likely be the most impacted street in this district. The City will address any traffic concerns this causes. Mr. Smith said that a traffic study would have to be conducted anyway, prior to any multi-center developments in this area, as per City requirements.

Mr. Stankoski noted that AL-DOT tends to do traffic improvements after the fact, not prior to. Mr. Smith said that AL-DOT evaluates intersections based on traffic needs.

Question was asked how long, if accepted, would it take for this MOD to be developed?
Mr. Smith said that this would be market driven.

Mr. Smith stated the importance of having medical services in Fairhope, and all in one concentrated area. He also reminded everyone that at no time would a resident be forced to sell property to a developer. This would have to be a deal between the property owner and the potential buyer, City would not be involved in sale of property.

Mr. Smith said that remodeling of homes in residential areas would be allowed, as there would be no change in residential use.

Mr. Charles adjourned the meeting at 6:30 p.m.