

The Planning Commission met Monday, March 10, 2014 at 5:00 PM at the City Municipal Complex, 161 N. Section Street in the Council Chambers.

Present: Lee Turner, Chairperson; George Roberds, Vice-Chair; Bob Clark; Dick Charles; Bernie Fogarty; Jennifer Fidler; Hollie MacKellar; Jonathan Smith, Planning Director; Nancy Milford, Planner; and Emily Boyett, Secretary
 Absent: Councilmember Diana Brewer; and Tim Kant

Chairman Lee Turner called the meeting to order at 5:01 PM and announced the meeting is being recorded. The minutes of the February 3, 2014 meeting were considered and Dick Charles moved to accept the minutes as written and was 2nd by Bob Clark. Motion carried unanimously.

UR 14.01 Request of Southern Light for an 11.52.11 Utility Review and approval of the proposed installation of approximately 3,050 linear feet of aerial and underground fiber optic cable to the existing tower at 20969 Bishop Road, Jennifer Johnson. The project will run along the west side of Bishop Road from Fairhope Avenue to the existing tower at 20969 Bishop Road. Jonathan Smith gave the staff report saying the project will consist of 2,497 linear feet of directional boring; 553 linear feet of aerial cable; and manual digging to install the underground cable, handholes, and cable pedestals. Staff recommendation is to approve conditional upon the following:

1. The applicant shall comply with the minimum requirements as stated by the City of Fairhope Building Official, Code Enforcement Officer, Public Works Director, Gas Superintendent, and Water and Sewer Superintendent in the Staff Report; and
2. Any mechanical equipment should be painted munsell green.

Dick Charles made a motion to accept the staff recommendation to approve conditional upon the following:

1. The applicant shall comply with the minimum requirements as stated by the City of Fairhope Building Official, Code Enforcement Officer, Public Works Director, Gas Superintendent, and Water and Sewer Superintendent in the Staff Report; and
2. Any mechanical equipment should be painted munsell green.

Bernie Fogarty 2nd the motion and the motion carried unanimously.

SD 14.02 Public hearing to consider the request of the M5 Group, LLC for Preliminary and Final Plat approval of the M5 Subdivision, a 2-lot minor division, Dale Marston. The property is located on the east side of Wayne Johnson Lane, just north of County Road 32. Jonathan Smith gave the staff report saying the property is located in Baldwin County and is unzoned. The subject property is approximately one acre and the applicant is proposing two half acre lots. Staff recommendation is to approve contingent on the following conditions:

1. The note on the plat regarding setbacks shall be either corrected to the language from the City of Fairhope Subdivision Regulations or deleted; and
2. The square footages of the lots need to be revised to reflect the corrected square footage for each lot.

Dale Marston addressed the Commission saying the property currently has two houses on it and they are requesting the subdivision to allow the current renter the ability to purchase one of the houses. Mrs. Fidler referenced two letters of opposition that were received stating the property is not to be subdivided and Mr. Marston responded there are

no deed restrictions for subdividing. Mr. Marston stated the property was purchased with one house existing and a second house was permitted and constructed 2000. He added Baldwin County has already approved the subdivision. Mr. Turner opened the public hearing. Having no one present to speak, he closed the public hearing. Dick Charles made a motion to accept the staff recommendation to approve contingent on the following conditions:

1. The note on the plat regarding setbacks shall be either corrected to the language from the City of Fairhope Subdivision Regulations or deleted; and
2. The square footages of the lots need to be revised to reflect the corrected square footage for each lot.

Bernie Fogarty 2nd the motion and the motion carried unanimously.


UR 14.02 Request of the City of Fairhope for an 11.52.11 Utility Review and approval of proposed renovations at the Fairhoppers Community Park, Clay Adams of WAV Architects. The park is located at the northeast corner of Morphy Avenue and Church Street, at 105 S. Church Street. Jonathan Smith gave the staff report saying the City has contracted with Walcott Adams Verneulle Architects to prepare a plan for major renovations to the Fairhoppers Community Park. The proposed playground/park is ADA accessible, whereas the current structures and park is not. The new equipment is updated and is said to be safer than the existing aging structures on the property. Staff recommendation is to approve the proposed design and renovations at the Fairhoppers Community Park. Clay Adams of WAV Architects addressed the Commission saying the existing park is 20 years old and is in need of repair and updates. He stated the renovations include replacing the wooden structures with modern playground equipment while salvaging artwork and other pieces to incorporate into the renovated park , adding a splash pad where the teen recreation area is today on the park's south side on Morphy Avenue, introducing a climbing net, and plans to add more gazebos throughout the park, where only one is available today. The basic layout of the park is expected to remain the same with two areas on the north side dedicated to toddlers and preschoolers and another for 5-12 year olds with handicap accessible designs. New additions will include a rope-play area and a roughly 2,000 square foot splash pad on the south side by Morphy Avenue and musical instruments. Mr. Adams stated they will be keeping the artwork that is at the park including the handprint wall and the dinosaur. He outlined the proposed demolition and construction dates and stated they plan to have the new park opened June 1st. Mr. Charles asked what makes this safer for the children and Mr. Adams stated the play areas will be covered with a rubber surface that is ADA compliant. Mrs. Fidler and Mr. Clark questioned the material's maintenance and warranty. Mr. Adams stated the surface is a spongy material and explained it was designed for this type application and is being used all over. Dick Charles made a motion to accept the staff recommendation to approve the proposed design and renovations at the Fairhoppers Community Park. Bob Clark 2nd the motion and the motion carried unanimously.

New / Old Business

Comprehensive Plan – Mr. Smith announced there will be a Comprehensive Plan Update Committee meeting on Thursday, March 20, 2014 at 5:00 pm in the Delchamps Room at the City Municipal Complex.

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Having no further business, Jennifer Fidler moved to adjourn and was 2nd by Bob Clark.
Motion passed unanimously. The meeting was duly adjourned at 5:23 PM.



Lee Turner, Chairman



Emily Boyett, Secretary