



City of Bay Minette

Planning Commission

301 D'Olive Street · Bay Minette, Alabama 36507
Phone (251) 580-1650 · COBM_Planning@cityofbayminetteal.gov

AGENDA

February 9, 2023

Regular Meeting

8:00 a.m.

City Hall Council Chambers
301 D'Olive Street, Bay Minette

- 1.) Call to Order
- 2.) Invocation and Pledge
- 3.) Announcements & Registration to Address the Commission
- 4.) Approval of Minutes for the January 12, 2023 Regular Meeting
- 5.) Disclosure of Prior Communications and/or Conflicts of Interest
- 6.) Old Business
 - a.) CAPZO Training
 - b.) Update to Bylaws
 - c.) Commercial Accessory Structures
- 7.) New Business
 - a.) SP-23002, Williams Lumber
Disclosure of Prior Communications and/or Conflict of Interest
Request: Site Plan Approval for a Pole Barn and Lean To Accessory Structure
Location: The subject property is located at 711 W Railroad St
 - b.) SP-23003, NT&C Investments- Timber Ridge Townhomes
Disclosure of Prior Communications and/or Conflict of Interest
Request: Site Plan Approval for a 48-unit Phase 1 of the Timber Ridge Townhomes
Location: The subject property is located at the corner of McMillan Ave and Petty Lane
 - c.) Zoning Ordinance Amendment Discussion
 - d.) Updates & Upcoming Cases
- 8.) Reports & Comments
 - a.) Mayor/Council
 - b.) Attorney
 - c.) Commissioners
 - d.) Planning Staff
 - e.) Citizen Comments
- 9.) Adjournment

****Next Regular Meeting – March 9, 2023****

****CAPZO Training – March 16-17, 2023****

Bay Minette Planning Commission

Regular Meeting Minutes

Minutes January 12, 2023

Monthly Meeting No. 1

The Bay Minette Planning Commission met in Regular Session on Thursday, January 12, 2023. The meeting was called to order at 8:07 a.m. by Chairman, Todd Stewart, in the Council Chambers located in Bay Minette City Hall, in Bay Minette, Alabama; this being the proper place, date and hour as advertised to hold such meeting.

IN ATTENDANCE At 8:07 a.m. the following members were present, and a quorum established:

Todd Stewart, Chairman
Neal Covington, Vice-Chairman
Robert A. "Bob" Wills, Mayor
William Taylor, City Council/Commission Member
Ray Clark, Commission Member
Earl Emmons, Commission Member
Hiram Templeton, Commission Member

Commission Members absent:

Rob Madison, Building Official
Scotty Langham, Commission Member

Commission Members late:

None

Other persons in regular attendance:

Clair Dorough, City Planner
Jessica Peed, Planning Coordinator
Tammy Smith, City Administrator
Scotty Lewis, City Attorney

GUESTS

Sandy Lamb - Sweet Brew representative
Haley Beason- The Landing representative
Harold Beason- The Landing representative

INVOCATION Councilman Taylor gave the invocation, followed by the pledge.

ITEM 3. Announcements/Registration to address the Commission
Mrs. Dorough introduced the newest Planning Commission Member, Hiram Templeton, and states that everyone has a copy of the Planning Commission meeting and deadline schedule. She also includes that she realized the most recent approved Planning Commission bylaws were from 2013 and she is currently working on an update possibly for the next meeting.

ITEM 4. Approval of the Minutes of the December 8, 2022, Regular meeting. Councilman Taylor made a motion to approve the December minutes as written. The motion was seconded by Earl Emmons and was unanimously carried.

ITEM 5. Disclosure of Prior Communications and/or Conflicts of Interest

ITEM 6. Old Business

a.) Fee Schedule

Mrs. Dorough states the newly adopted version of the fee schedule is effective today and there's a copy included with their packet. She also gives instructions on how to use the newly installed microphone system.

b.) Southern Visions / Sweet Brew Update

Chairman Stewart opens the floor for Sandy Lamb to update to the Commission on Sweet Brew's status on the building completion and schedule for opening. Mrs. Lamb states that they were able to get back on track in 2022, after the Covid pandemic which put them behind their timeline. They recently received a partial Certificate of Occupancy and plans to transition all sugar storage to the Bay Minette facility. She briefly explains the equipment purchasing and manufacturing timeline, trailer removal and landscaping of the front lawn. Chairman Stewart inquires on the façade timeline to which Mrs. Lamb states they are unsure of the direction of which they would like to go but is open to suggestions and will be finalizing that decision as soon as possible. Mrs. Smith states a Council Member is specifically concerned with the incomplete façade, which has led to questions from citizens on whether Sweet Brew still intends to open and operate from this Bay Minette facility. Mrs. Smith also explained the details of the issuance of a partial Certificate of Occupancy. Mrs. Lamb stated she will work to have a plan for the façade as soon as possible and will attend a future meeting if needed.

ITEM 7.

New Business:

a.) SP-23001, Beason Property – The Landing

Disclosure of Prior Communications and/or Conflict of Interest

Request: Site Plan Approval for an Addition and Renovation to The Landing facility

Location: The subject property is located at 2411 S US Hwy 31, approximately 300ft NE of Industrial Blvd.

Mrs. Dorough introduces the request and includes zoning history, current plan to only construct the new wing along the south line on property and future plans for a pavilion. She states that site work has started, and gives details regarding the fencing, property orientation, adjacent zoning/uses, and buffer requirements. Mr. Beason states the fencing will also be replaced and when complete, will extend about 900 ft around the property. Mrs. Dorough continues reviewing the staff report including City Official comments regarding a fire hydrant to be located within 100 feet of the FDC and that the applicant may be responsible for the cost of extending the water line and/or installing a hydrant if the existing infrastructure is not sufficient. She also states that structural plans and elevations have not been submitted for the pavilion, details setback requirements, and recommends that a Land Use be submitted prior to construction. Commission Member Clark inquires on the comment regarding fire truck access to the rear of the site for future development and discusses possible site development location shifts that may prevent potential future issues. Mrs. Dorough states this potential conflict has been discussed with the applicants, who are aware the apartment construction may be prohibited. Steven Stewart explains the fire apparatus access requirements for the future apartments in comparison to the site proposed today. Mrs. Dorough continues to review the staff report including the impervious surfaces, landscape plan that was not submitted, greenbelt zone, off-street parking requirements, and ALDOT approval. Chairman Stewart inquires about the total parking count for building occupants and accessible parking spaces, which begins a discussion on parking requirements. Commission Member Emmons inquires on the water run-off from the site to which it was suggested a drainage plan be submitted as a condition of approval of their proposal. Jason Padgett states there are current no utility issues. The Commission and staff further discuss possible conditions for approval, which includes: submission of a landscaping plan satisfying the provisions for the disposition of open space, tree protection, Greenbelt Zone standards, off-street parking landscaping provisions, and buffering requirements; submission of a Site Plan in compliance with off-street parking requirements, specifically the provision of handicap parking spaces and sidewalk accessibility in accordance with the Americans with Disabilities Act; submission of a satisfactory drainage plan with stormwater calculations, submission of a Land Use Application and Site Plan for administrative review of setback and other minimum requirements for the

construction of the proposed pavilion. With no further comments or questions, Commission Member Clark makes a motion to approve the site plan with the conditions of:

- submission of a landscaping plan satisfying the provisions for the disposition of open space, tree protection, Greenbelt Zone standards, off-street parking landscaping provisions, and buffering requirements;
- submission of a Site Plan in compliance with off-street parking requirements, specifically the provision of handicap parking spaces and sidewalk accessibility in accordance with the Americans with Disabilities Act;
- submission of a satisfactory drainage plan with stormwater calculations;
- submission of a Land Use Application and Site Plan for administrative review of setback and other minimum requirements for the construction of the proposed pavilion.

Commission Member Emmons seconds and the motion is unanimously carried.

b.) Status Updates and Upcoming Case Briefing:

- Z-22007, Faulkner property rezoning from a B-2 zoning designation to R-4 zoning was passed as Ordinance 1017.
- Z-23001, the Hoover property rezoning at 2417 S US Hwy 31, was previously on this agenda and advertised but was requested by the applicant to be withdrawn but may be presented at the March meeting.
- SD-23001, TPQ, LLC has submitted for a 2-lot Minor Subdivision at Moran and Clay Street
- SP-23002, Williams Lumber property on W Railroad Street near the Bypass has submitted a Site Plan Review/Approval for 2 additional accessory buildings, a pole barn and lean-to, protect materials from the weather. The site currently has approval for a temporary structure with plans to submit an additional site plan application in the future. Planning Department is currently working to verify ALDOT and CSX right-of-way authority for access review.
- There is a cleared lot next to Chuck Stevens Chevrolet and in front of Mobile Lumber that received a stop work order for site work for a used car lot and service area. The applicant is attempting to submit to Site Plan Review for February meeting but could potentially be on the March agenda.
- SP-23003, Timber Ridge Townhomes Site Plan Approval will likely be on the February agenda. Plans were just received but some revisions are required. Mrs. Dorrough includes the buffer regulations for the adjacent properties due to zoning designations, along with setbacks and landscape screening that is not currently noted on submittals. Commission Member Clark inquired on unit capacity to which Mrs. Dorrough states there is a total of 96 units, 48 in the first phase. Mrs. Dorrough received a comment from the postal service stating that all new development and new phases of existing phases will be required to install cluster mailboxes.

ITEM 8. Reports:

a.) Mayor/Council Report – Mayor Wills states the Justice Center walls have started going up and the City is considering various options for the future of the Recreation Center/Bowling Alley building.

Councilman Taylor states the Douglasville community is hosting a march to celebrate the Dr. Martin Luther King Jr. holiday on January 14, 2023, as well as a county-wide march being held in Fairhope to celebrate the holiday.

b.) Attorney - None

c.) Commissioner – None

d.) Planning Staff - Mrs. Dorrough stated CAPZO training is scheduled for March 16-17th and more information will be sent out soon. She also states for the Commission to be thinking about the ordinance regulation pertaining to accessory structures in commercial areas as right now all commercial and industrial accessory structures must go through Site Plan approval, and is currently trying to determine if there is an option for certain applications to be reviewed in-house, based on size.

Jason Padgett states there is a metal structure that has been constructed behind Canterbury Village that encroaches on two different properties, which starts a discussion on Code Enforcement.

Chairman Stewart leaves the meeting at 9:10am. Vice-Chairman Covington takes over the meeting for the remainder of the Code Enforcement discussion.

ITEM 9. With no further business, Vice Chairman Covington adjourns the meeting at 9:14 am.

DONE THIS THE 12TH DAY OF JANUARY 2023

Chairman, Todd Stewart

ATTEST:

Jessica Peed, Planning Coordinator

Motion Summary:

- 1.) *Minutes*: Approval of the Minutes of the December 8, 2022, Regular meeting. Councilman Taylor made a motion to approve the December minutes as written. The motion was seconded by Earl Emmons and was unanimously carried.
- 2.) *SP-23001, Beason Property – The Landing*: Commission Member Clark makes a motion to approve the site plan with the conditions of:
 - submission of a landscaping plan satisfying the provisions for the disposition of open space, tree protection, Greenbelt Zone standards, off-street parking landscaping provisions, and buffering requirements;
 - submission of a Site Plan in compliance with off-street parking requirements, specifically the provision of handicap parking spaces and sidewalk accessibility in accordance with the Americans with Disabilities Act;
 - submission of a satisfactory drainage plan with stormwater calculations;
 - submission of a Land Use Application and Site Plan for administrative review of setback and other minimum requirements for the construction of the proposed pavilion.

Commission Member Emmons seconds and the motion is unanimously carried.



City of Bay Minette

Planning & Development Services

PLANNING COMMISSION STAFF ANALYSIS

Meeting: February 9, 2023

Case Number: SP-23002

SUMMARY INFORMATION

Project Name: Williams Lumber Site Plan Approval
Property Location: 711 W Railroad St
Property PID/PPIN: 05-23-05-16-2-002-035.000 // 32330
Current Property Size: 2.39± acres

Requested Action: Planning Commission Approval for the construction of two Accessory Structures
Applicant: Joel Williams
Property Owner: Joel Williams

Subject Property	Zoning	Existing Land Use
SP-23002	B-2	Williams Lumber
Adjacent Property	Zoning	Existing Land Use
North	B-2	CSX Railroad, Vacant Property, Commercial
South	R-3, B-2	Vacant Residential Property / Residential dwelling on Commercial property
East	R-3	Single Family Residential / Vacant Residential Property
West	B-2	S US Highway 31

SITE AND REQUEST SYNOPSIS

The subject property, which consists of approximately 2.39± total acres is zoned B-2, General Business District. The property is located at 711 W Railroad St, which fronts CSX railroad right-of-way and is adjacent to the S US Highway 31 bypass on the west side. The property is currently operating as a lumber yard, Williams Lumber, and this request is for Site Plan approval for the construction of two accessory structures: a 24'x80' lean-to and a 24'x36' pole barn. In the B-2, General Business District, Commercial and Industrial Accessory Structures require Site Plan approval prior to construction.

ZONING DISTRICT AND TABLE OF PERMITTED USES

6.3.2 B-2, General Business District. This district is intended to provide opportunity for activities causing noise and heavy traffic, not considered compatible in the more restrictive business district. These uses also serve a regional as well as a local market and require location in proximity to major transportation routes. Recreational vehicle parks, very light production and processing activities are included.

Table of Permitted Uses and Conditions	R-A	R-1	R-2	R-3	R-4	R-5	B-1	B-2	M-1	M-2
Accessory buildings and uses, home swimming pools, when located on the same lot or parcel as the principal residential structure or use and customarily incidental thereto, allowed by right provided the requirements in all pertinent sections of this ordinance are met. Accessory buildings and uses, swimming pools, when located on the same lot or parcel as the principal commercial structure or use and customarily incidental thereto, allowed with Planning Commission approval provided the requirements in all pertinent sections of this ordinance are met.	R	R	R	R	R	R	PR	PR	PR	PR

DEPARTMENT AND AGENCY COMMENTS

North Baldwin Utilities – No comments to submit at this time

Bay Minette Public Works – No comments received.

Bay Minette Police Department - No comments received.

Bay Minette Fire Department – No comments to submit at this time

Baldwin County E-911 – No comments to submit at this time

Tensaw Engineering, Benjamin White, P.E. – City Consultant as Civil Engineer - No comments received.

Neel-Schaffer, Shane Bergin, PE, PTOE, PTP, RSP1 – City Consultant as Transportation Engineer - Stated no comments to submit at this time but noted that the site access may be under ALDOT's authority and the applicant may possibly need CSX approval.

2.) Other matters which may be appropriate in relation to *Section 8.9 Site Plan*

- a) *The density or intensity of land use to be allocated to all parts of the site together with tabulations by acreage and percentages thereof itemized by use and density.*

Subject Property Site Totals		104,108.40± ft ²	2.39± acres		
Site Use/Type Area	±Square Footage	% Lot Coverage	Requirement	Note	
Existing Structures	6,082±ft ²	5.84%		Building and slab	
Proposed Buildings	2,784±ft ²	2.67%		Pole barn and lean-to	
Existing Gravel Impervious Surface	10,745±ft ²	10.32%		Slag driveway/parking	
Proposed Gravel Impervious Surface	10,417±ft ²	10.00%		Additional slag driveway/parking	
Total Impervious Surface	30,028±ft ²	28.84%	N/A		
Landscaped/Open Space	74,080.4±ft ²	71.15%		Grassed open space/natural veg.	
Total Landscaped/Buffer in Plan	±ft ²	%	≥15%	None Submitted	

The above calculations are estimations made by staff using the applicant's submitted information and are not exact calculations provided by a licensed professional. Drainage/Stormwater information was not submitted, but the development is required to comply with the Zoning Ordinance regulation below:

7.13 Surface Drainage Owners, particularly developers of larger paved areas such as those in connection with apartment complexes, shopping centers, etc., shall be responsible for increased runoff resulting from these developments which cause flood damage to neighboring property. The Building Official shall, in consultation with a certified Engineer, determine that reasonable provisions for properly handling surface drainage have been made in the applicant's design and report these findings for the Planning Commission's consideration in acting on building applications. If such reasonable provisions are not made in the applicant's design, the Planning Commission shall make such remedies as may be available to the applicant as a condition of the building permit issuance.

8.3.4 Noise, air pollutants including dust emissions, and surface runoff shall not exceed background levels by more than 10%.

9.2.8 *Drainage.* Off-street parking facilities shall be drained to prevent damage to abutting property and streets and to prevent pollutants from draining onto the adjacent lots. Landscaped areas and perimeter areas shall be so graded as to receive a reasonable portion of the rainfall from the surrounding pavement. Protective curbing around landscaped areas will leave openings for the flow of water onto unpaved areas.

12.1 Erosion and Sediment Control: Persons engaged in land-disturbing activities shall take all reasonable measures to protect all public and private property, including roadways, from damage by such activities. In addition, owners shall comply with all applicable laws, rules and regulations, including federal and state regulations regarding the discharge of storm water. For all projects required by the Alabama Department of Environmental Management ("ADEM") to obtain a national pollutant discharge elimination system ("NPDES") permit, a copy of said permit shall be provided to the City Planner and Building Official prior to the land disturbance activities. For projects requiring a NPDES permit, owners shall prepare a Construction Best Management Practices Plan ("CBMPP") in accordance with ADEM requirements. It shall be the responsibility of the owner to design, install and maintain an ADEM approved CBNPP. Where required by ADEM, owners shall provide the City Planner and Building Official with a copy of its CBMPP prior to land disturbance activities.

- b) *The location, size and character of any common open space, commonly owned facilities and form of organization which will own and maintain any common open space and such facilities.*

Not applicable to this development.

- c) *The use and maximum height, bulk and location of all buildings and other structures to be located on the site.*

The proposed site plan shows a building footprint of 24'x36' (864 sq ft) for the pole barn which the applicant stated would have a 10ft eave height; and a 24'x80' (1,920 sq ft) lean-to with a front height of 16ft and angled back to the rear/south side. Both structures will be open storage - the pole barn will be roof only and the lean-to will have a wall on the south side.

For this property, the B-2 district requires 25ft front setbacks on local roads and there are no required setbacks for the side and rear yard except when abutting a residential district, the setback cannot be less than 20ft. The original site plan submitted shows setbacks that are not in compliance with this, however, the applicant has stated that the lean-to will be 20ft or more from the rear property line. The side setback dimensions shown on the site plan ranging from 5' to 15' are stating the distance from the existing chain-link fence, which is shown approximately 37' from the property line as estimated from GIS. The graphics included in this section were created by staff to approximate the proposed locations for existing site features and proposed structures. It is an estimate based on submittals and communication with the applicant intended to provide an illustrated guide to assist the Planning Commission.



The illustrations show a potential conflict with the pole barn and existing trees. Based on the revisions to the submitted site plans and clarification needed for structure location and final driveway/parking area size, staff would recommend that the applicant submit a Site Plan detailing final locations and dimensions at the time of Building Permit application.

- d) *The substance of covenants, grants of easements or other restrictions which will be imposed upon the use of the land, buildings and structures, including proposed easements or grants for public utilities or other purposes.*

N/A

- e) *The provisions for disposition of open space, including tree protection, landscaping provisions and buffering requirements.*

Open Space & Landscape Provisions A landscape plan, tree protection plan nor parking plan were submitted. However, the landscaping requirement is that a minimum of fifteen percent (15%) of the total lot area shall be landscaped or maintained as open green space, which includes landscape requirements for parking areas. For this property, approximately 15,616ft²/.36+ acres, would be required to be landscaped or remain open space. Based on the submitted plans and GIS information, the percentage of impervious surface, including the two proposed structures and additional driveway/parking areas, is estimated at 30,028 ft². The balance of the site, approximately 74,080 ft², will remain as open grassed and natural area green space, easily exceeding the 15% requirement.

Total Lot Area: 104,108 sq ft

Landscaped/Open Space 15% min: 15,616 sq ft

Impervious After Proposed Construction: 30,028 sq ft (appx 28.84%)

Landscaped/Open Space After Proposed Construction: 74,080 sq ft (appx 71.15%)

Buffering: The property is zoned B-2, Commercial with R-3, Residential zoning to the East and South, which, per Section 8.3.2, will require a 10-foot buffer zone along the abutting lot line. The property has an existing 6ft chain-link fence and natural forest.

8.3.2.1 Wall or Fence. If a wall or fence is provided as a protection buffer, it shall be six (6) feet high and of a construction and a design approved by the Planning Commission. Said wall or fence shall be maintained in good repair by the owners of the property.

Tree Protection//Greenbelt Zone: A tree survey was not submitted. The property does contain several significant oak trees on the NE side of the property, however, they will not be affected by the proposed development nor are any plans to remove the trees. This property is located within the Greenbelt Zone, but is not required to meet those standards as it does not front US Hwy 31, it fronts the CSX railroad ROW/W Railroad St.

10.6.4 Greenbelt Zone. All developments along or abutting the right-of-ways of U.S. Highway 31 South, U.S. Highway 31 North, State Highway 59, State Highway 287, McMeans Avenue, D'Olive Street and North Hand Avenue shall maintain a minimum of ten (10) feet of the required thirty (30) foot setback as a landscaped greenbelt along the entire front width of the property except where curb cuts provided ingress and egress. (...)

- f) *In the case of plans which call for development over a period of years, a schedule showing the proposed times within which applications for building permits are intended to be filed.*

N/A

- g) *Where required by the Alabama Department of Transportation ("ALDOT"), the Building Official shall be provided proof that the applicant has submitted a driveway permit application to ALDOT. In the event that any type of traffic study is required by the ALDOT, copies thereof shall be provided to the Building Official.*

This site is accessed from Graham Drive. The W Railroad St access is where CSX ROW and private property join, and the City has no authority to allow access to those properties along this area. Graham Drive does appear to be located within ALDOT's ROW and staff is working with ALDOT to verify. At this time, ALDOT's Area Permit Manager, Michael Smith, P.E., does not believe the State has any roadway designation for this section, but is verifying the maintenance authority for this section. He agreed that the City should review it as City's ROW until confirmation from the State and include a condition that the applicant's approval be contingent upon any ALDOT concerns that may arise. If the City is determined to be the access authority, the application will be submitted to the City's Traffic Engineer for review.

This site's only access point is from Graham Drive near the end of the south-bound decline of the Hwy 31 bypass bridge. Previous development proposals have been discouraged that had significant amounts of southbound 18-wheeler traffic turning in this location. The applicant currently has truck traffic accessing his site from this roadway. Most is northbound and uses the turn lane/crossover, but the applicant notifies any southbound traffic to pass Graham, make a U-turn when possible and access from the northbound lane/crossover. This is the preferred method of access.

h) Front and side architectural elevations.

No typical elevation plans were submitted, but the truss elevations were included. Both structures will be open storage - the pole barn will be roof only and the lean-to will have a wall on the south side/rear property line. Section 8.6 Metal Buildings, will not be applicable in this case as it only covers the "exterior metal walls of the front and any sides of a building facing said public street, that will be constructed with metal cladding as the primary siding material"

i) The location and size of all signs to be located on the site. In the event that a sign is pre-existing and fails to conform to the requirements as set forth in this ordinance, site plan approval will be granted only under the condition that all signs will comply with the regulations as set forth in the sign ordinance.

Signage will require a Sign Permit prior to construction/installation.

j) Landscape plans.

See Item (e) above.

k) Any additional data, plans or specifications which the applicant or the City believes is pertinent and which will assist in clarifying the application including, but not limited to plans for screening, lighting and space, surface drainage, erosion and sediment control, water and sewer connections, landscaping, and signs.

Off-Street Parking: There would be 15 parking spaces required for this site with the two additional structures, a minimum area of 1,710sq ft. Currently, the site has approximately 4,000sq ft of area surfaced with slag material that is used for parking, and additional parking areas would not be required. There is additional area proposed to be surfaced with the same material surrounding the proposed structures.

Related Applications: Beasley Equipment Company LLC has received Land Use approval on the same site for the "rental of tools and small equipment such as trenchers, saws, nail guns, compressors, paint sprayers, etc...." The business will be operating out of the existing office with Williams Lumber. A temporary non-permanent structure has been approved for the site pending the construction of a permanent structure for the storage of tools and equipment related to the equipment rental company. The approval is for 6 months (through 6/30/2023) with the possibility of one additional 6-month renewal, after which the structure must be removed. The temp structure is located in the NW corner of the lot.

STAFF RECOMMENDATION

Based on the information submitted by the applicant, City Staff and Consultant input and the analysis above, staff recommends:

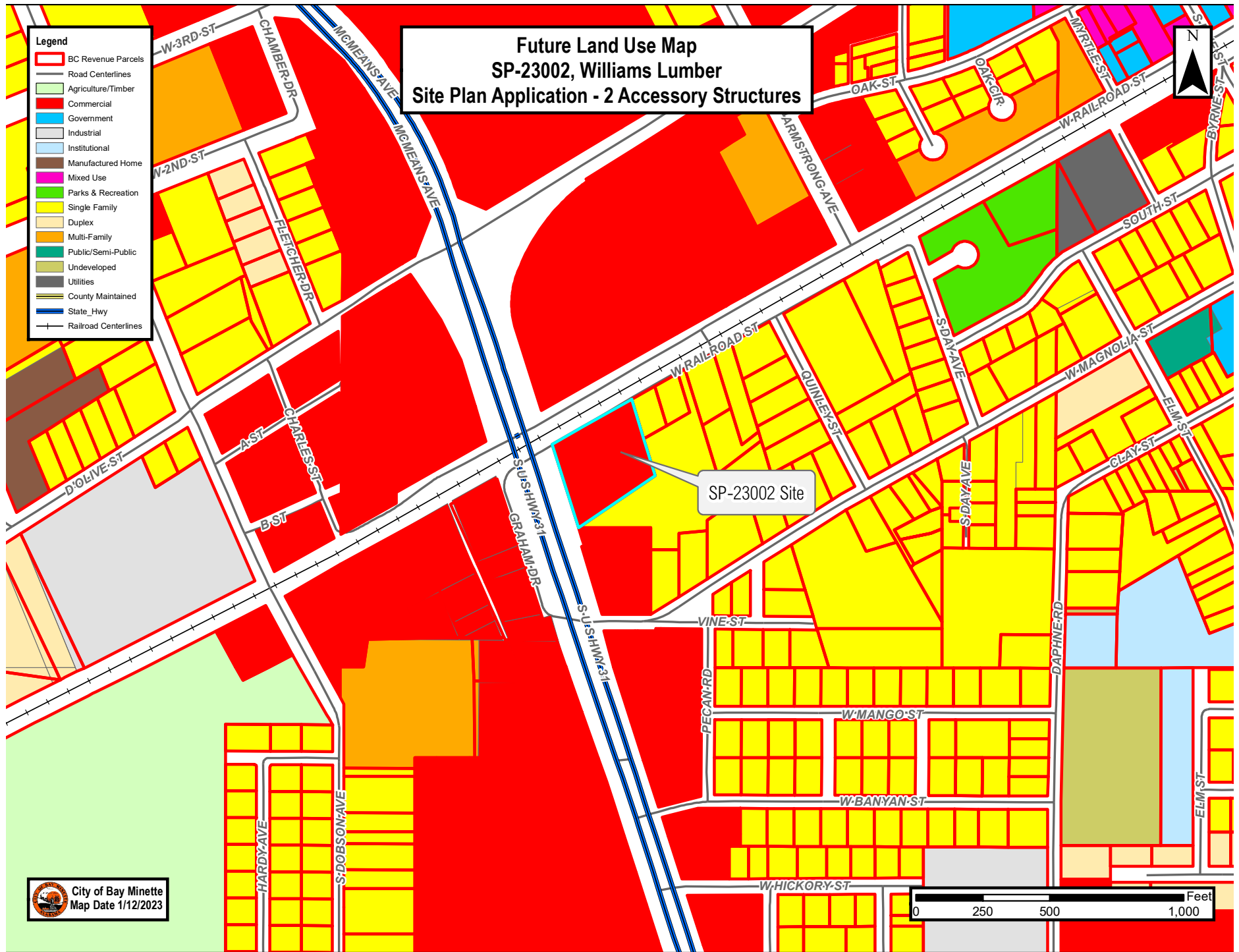
The Planning Commission Site Plan Application be **Approved with the Conditions below:**

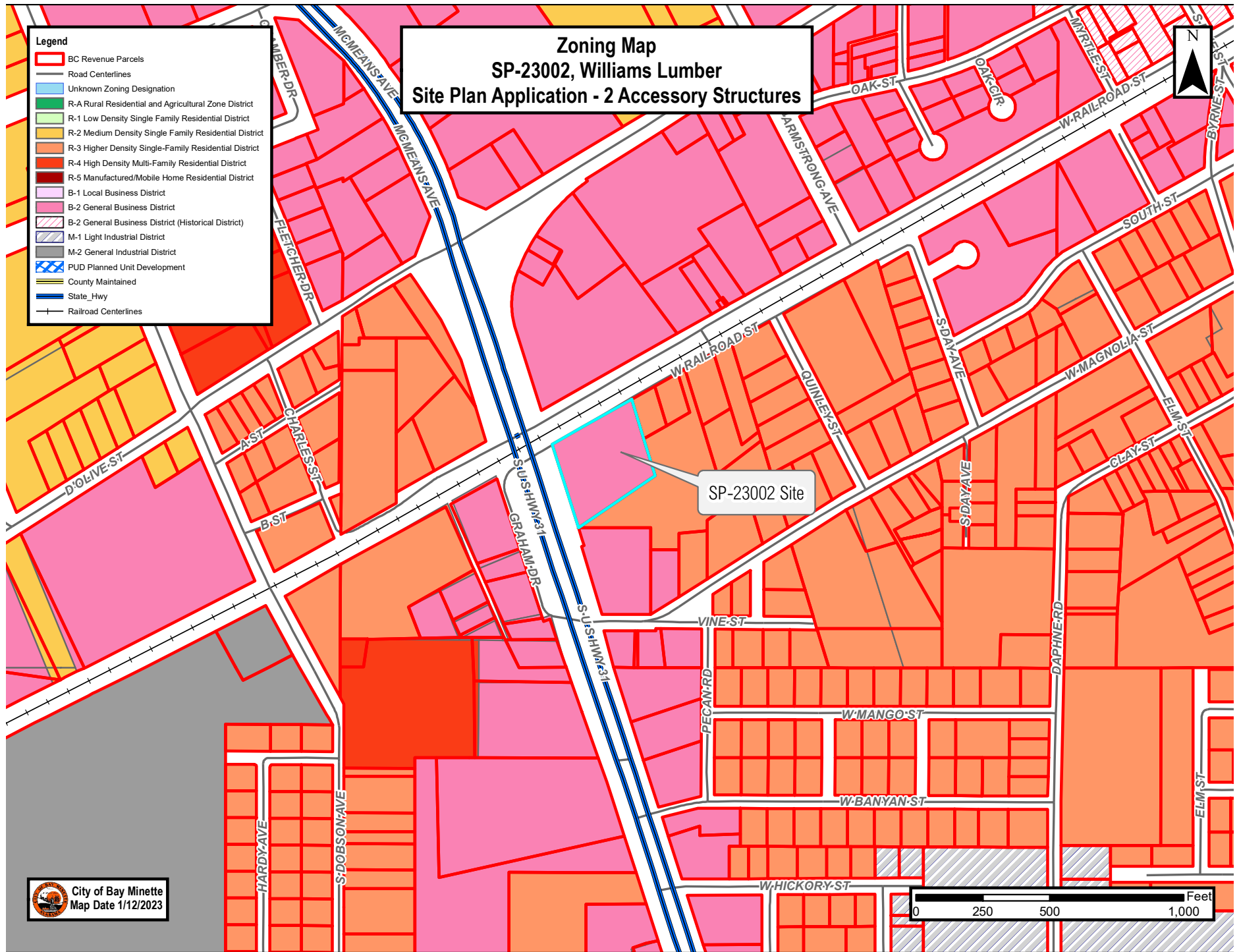
- 1.) Submittal of a Site Plan detailing final locations and dimensions for staff review prior to the issuance of a Building Permit.
- 2.) The issuance of a Building Permit be contingent upon access review by ALDOT or the City Engineer based on ALDOT's review and determination of access authority.

PLANNING COMMISSION ACTION

For Site Plan Approval, the Planning Commission makes the final decision and has the option to:

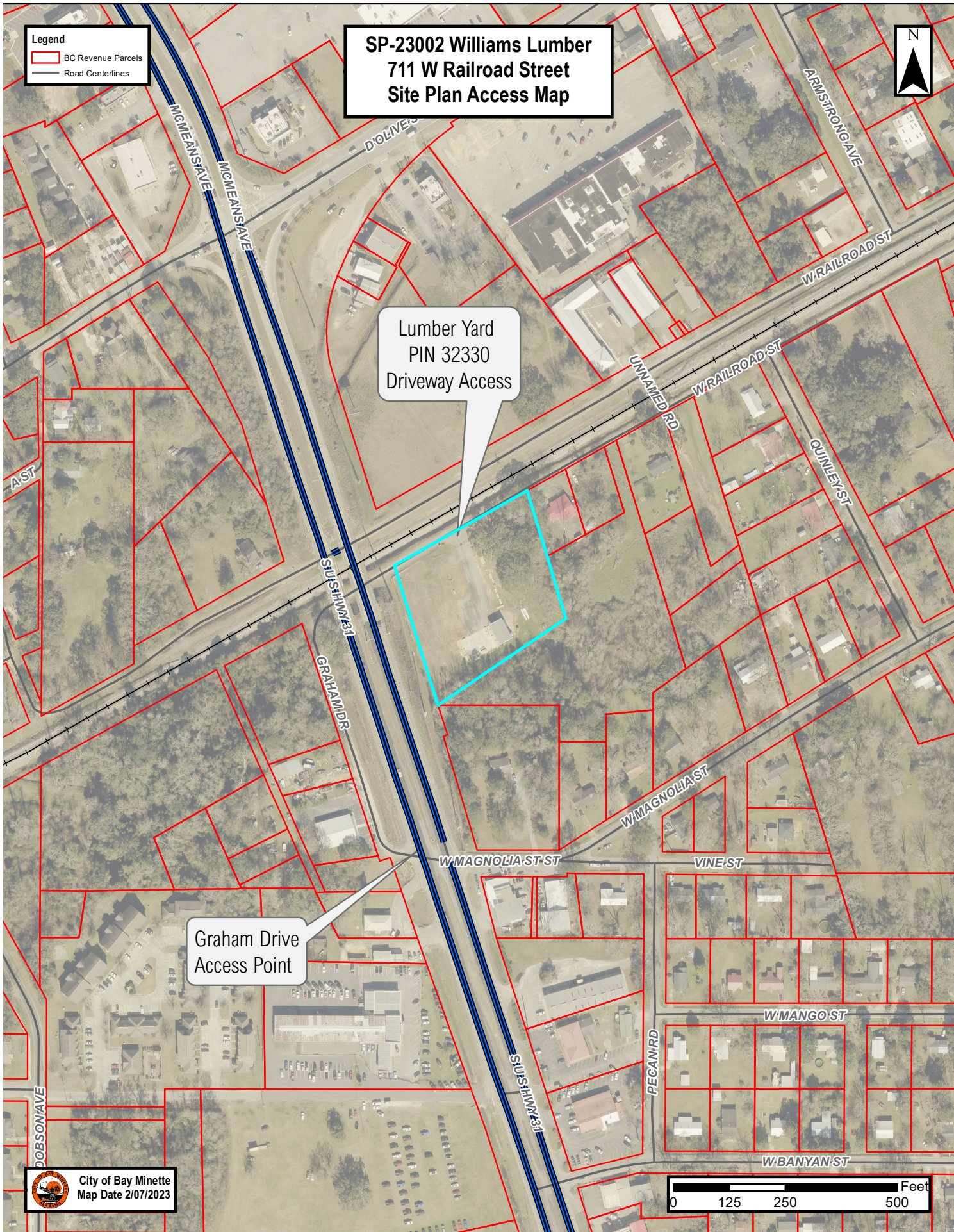
- Approve the Site Plan
- Approve the Site Plan with conditions, stating the conditions required
- Deny the Site Plan, with stated factors for the denial
- Table Request, due to lack of information











Legend


- BC Revenue Parcels
- Road Centerlines

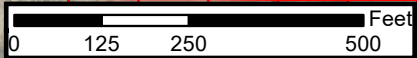
**SP-23002 Williams Lumber
711 W Railroad Street
Site Plan Access Map**



Lumber Yard
PIN 32330
Driveway Access

Graham Drive
Access Point

 **City of Bay Minette**
Map Date 2/07/2023





City of Bay Minette

Site Plan Review Application

301 D'Olive Street · Bay Minette, Alabama 36507
Phone (251) 580-1650 · COBM_Planning@ci.bay-minette.al.us

Office Use Only	
Case No.:	23002
Fee:	\$300.00
Paid:	<input checked="" type="checkbox"/> Cash <input type="checkbox"/> Check
	<input type="checkbox"/> Credit Card

paid
12/22/22

Are you the property owner? ☒ Yes ☐ No
(If you are not the property owner, you must submit an Agent Authorization Form signed by the property owner)

Applicant Name: Joel Williams Date: 12-22-22

Mailing Address: 17880 Old Brady Road

City: Bay Minette State: AL Zip Code: 36507

Phone Number: 251-401-5272 Email: Jwilliams122131@gmail.com

Site Information

Property Address: 711 Railroad St West

or Property Location: _____

*Parcel No.: 23-05-16-2-002-035.000 *PPIN No.: 32330

**Parcel or PPIN information must be completed*

Request: _____

I, the undersigned, do hereby request the City of Bay Minette Planning Commission to grant a Site Plan Review for the location to determine if it meets the regulations of the **Zoning Ordinance** for the reason(s) stated above.

[Signature] 12-22-22
Signature of Applicant (Owner of Property of Authorized Agent) Date

Submittal Requirements

- ☐ Application
- ☐ Fee paid in full
- ☐ Agent Authorization Form (if applicant is not the owner)
- ☐ Complete Legal Description of Property
- ☐ Plot Plan or Survey – indicating any existing structures, proposed structures, and setbacks from property lines
- ☐ Submittal Requirements listed in 8.9 Site Plan, as applicable



City of Bay Minette

General Land Use & Building Permit

Land Use #:	22157
Permit #:	
<input checked="" type="checkbox"/> City Limits	<input type="checkbox"/> Police Jurisdiction

301 D'Olive Street · Bay Minette, Alabama 36507 · Phone (251) 580-1610
COBM_Planning@cityofbayminetteal.gov Building_Official@cityofbayminetteal.gov

OWNER & SITE INFORMATION – Property Address: 711 Railroad Street W
PPIN: 32330 Lot/Parcel Size: 2.40 Subdivision: _____ Lot #: _____
Owner Name: Joel Williams Phone: 251-401-5272
Mailing Address: 17880 Old Brady Road Bay Minette AL 36507
Email: Jwilliams122131@gmail.com

CONTRACTOR & APPLICATION CONTACT INFORMATION – *If not the property owner, an Agent Authorization Form is required.

Trade Type: ☒ Building ☐ Electrical ☐ HVAC ☐ Plumbing ☐ Other: _____
Legal Business Name: Joel Williams 'Self Building'
Mailing Address: 17880 Old Brady Road Bay Minette AL 36507
Phone: 251-401-5272 Email: Jwilliams122131@gmail.com
Contact Name (if different than above): _____ Title: _____
Phone: _____ Email: _____
City of Bay Minette Business License #: _____ General Contractors License #: _____
Home Builder's or State Trade License #: _____

PERMIT TYPE <input checked="" type="checkbox"/> Building <input type="checkbox"/> Electrical <input type="checkbox"/> Mechanical <input type="checkbox"/> Plumbing → Gas Piping Installer if applicable: _____	TYPE OF CONSTRUCTION <input type="checkbox"/> New Construction <input type="checkbox"/> Addition/Expansion <input type="checkbox"/> Renovation / Alteration / Repair <input type="checkbox"/> Accessory Bldg → <input type="checkbox"/> Attached <input type="checkbox"/> Detached <input type="checkbox"/> Pre-Fab / Constructed Off-Site <input type="checkbox"/> Reroof <input type="checkbox"/> Temp Pole <input type="checkbox"/> Temporary Office/ Job Site / Construction Trailer** <input type="checkbox"/> Mobile Home** → <input type="checkbox"/> New** <input type="checkbox"/> Replacement** <input type="checkbox"/> Relocation** <input type="checkbox"/> Other: _____ **Requires a Building & Electrical Permit
BUILDING CLASSIFICATION <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Residential → <input type="checkbox"/> Single Family <input type="checkbox"/> Two-Family/Duplex <input type="checkbox"/> Multi-Family - Unit # _____	OCCUPANCY / USE Occupancy Classification Options: Assembly, Business/Office, Education, Factory/Industrial, Hazardous, Institutional, Mercantile/Retail, Residential, Storage, Utility/Miscellaneous Current Occupancy Classification: _____ Proposed Occupancy Classification: _____ Specific Use Detail: _____
VALUATION Valuation of Work (Labor & Materials): <u>\$10,000, \$16,000</u> Heated/Cooled Sq. Ft: _____ Non-Heated/Cooled Sq Ft: _____ # of Stories: _____ Height: _____	

Detailed Description of Scope of Work: 24'x36' pole barn roof only
24'x80' lean to

SITE CONDITIONS

☐ Site/Plot Plan - Required for all permits except reroofs. Must be drawn to scale and include footprints of all existing and proposed structures with dimensions and setbacks (the distance from all property lines and other structures on the property)

☐ No Existing Structures on Site

List all existing permanent structures on the site and their size, including residences and accessory structures, if applicable

#1: 30'x50' Sq Feet: 1500 #4: _____ Sq Feet: _____
#2: _____ Sq Feet: _____ #5: _____ Sq Feet: _____
#3: _____ Sq Feet: _____ #6: _____ Sq Feet: _____

UTILITY SERVICES

Power Provider: _____ Garbage Service Provider: _____

☐ Well or ☐ Water Provider: _____ ☐ Septic or ☐ Sewer Provider: _____

☐ Propane or ☐ Natural Gas Gas Service Provider: _____

DRIVEWAY / ACCESS / CULVERT

Roadway Access Authority: ☐ City ☐ Baldwin County Highway Dept* ☐ Alabama Dept of Transportation (ALDOT)*

*Access Confirmation is required for New Dwelling or Non-Residential Construction, or new access/driveway proposed

City Culvert Needed: ☐ No ☐ Unsure ☒ Yes ☐ E-911 Address Verification – required for all permits in the police jurisdiction

Application is hereby made for a permit to erect/alter a structure as described herein or shown in accompanying plans and specifications, which structure is to be located as shown on the accompanying plot plan. It is understood and agreed by this applicant that any error, misstatement or misrepresentation of material fact or expression of material fact, either with or without intention on the part of this applicant, such as might, or would, operate to cause a refusal of this application, or any material alteration or change in the accompanying plans, specifications or structure made subsequent to the issuance of a permit in accordance with this application, without the approval of the City Planner and/or Building Official, shall constitute sufficient grounds for the revocation of such permit. Please note that the City of Bay Minette does not review or determine whether this application is in compliance with any covenant(s) or deed restriction(s).

Signature of Applicant: [Signature] Date: 12-19-22

INTERNAL USE ONLY

FEES & PAYMENT DETAILS

\$ _____ Application
\$ _____ Plan Review
\$ _____ CICT
\$ _____ Land Use
\$ _____ Building
\$ _____ Electrical
\$ _____ Plumbing
\$ _____ Mechanical
\$ _____ Life Safety
\$ _____ Violation Fine
\$ _____ TOTAL DUE
☐ Cash ☐ Card* 3.99% Fee
☐ Check #: _____
Date Paid: _____

LU- _____ BP- _____ E- _____ P- _____
M- _____ CE- _____ SWO- _____ A- _____

City Zone: _____ Police Juris. – BCC Zone: _____ FEMA Flood: _____

☐ Potential Wetlands ☐ Address Verified or ☐ Needs Correction/Assignment: _____

ZONING REVIEW - Signature: _____ Review Date: _____

☐ Approved ☐ Approved w/ Conditions ☐ Denied _____

BUILDING REVIEW - Signature: _____ Review Date: _____

☐ Approved ☐ Approved w/ Conditions ☐ Denied _____



Gate

Driveway
Rock

Pole barn

24'x36'

①

Rock

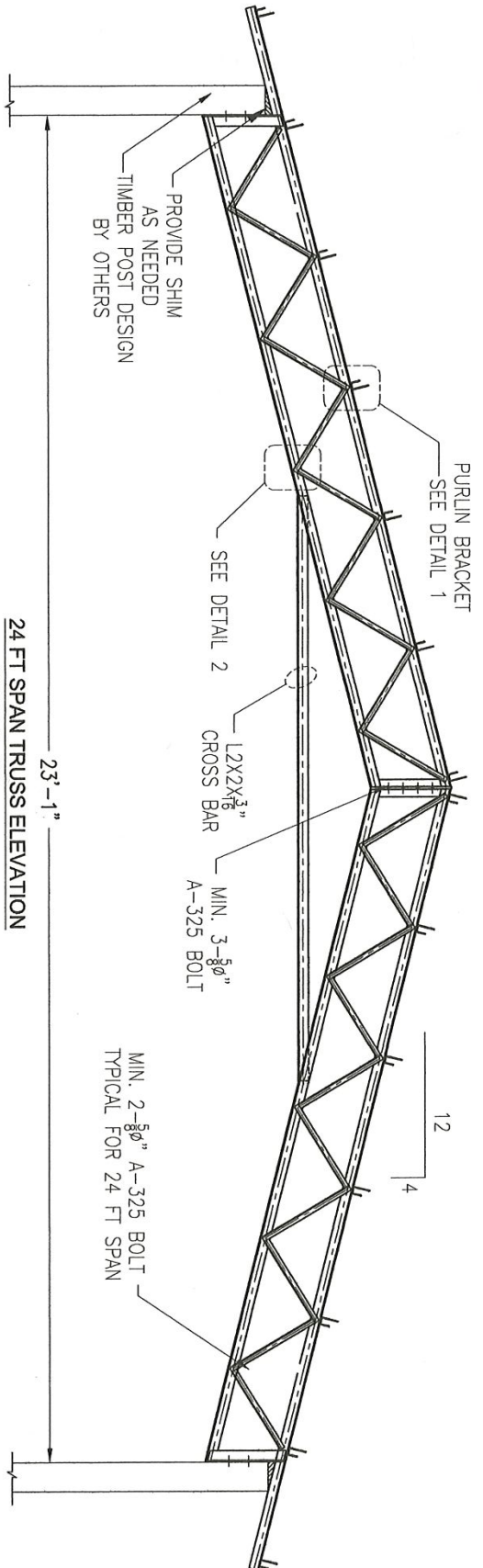
slab

30'x50'
Building

Lean To

24'x80'

②



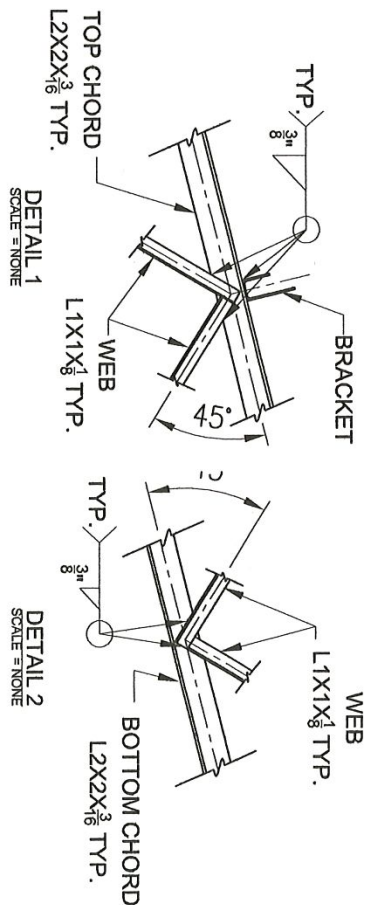
24 FT SPAN TRUSS ELEVATION
SCALE 1" = 3/8"

DESIGN CRITERIA	
1. WIND LOAD	Vallt = 142 MPH
2. LIVE LOAD	= 15 PSF
3. DEAD LOAD	= 10 PSF
4. SNOW LOAD	= 0.5 PSF
5. CONCRETE	FC = 3500 PSI

NOTES:
MAXIMUM TRUSS SPACING
SHALL BE 12 FT. O.C.

GENERAL NOTES

- STRUCTURAL STEEL DESIGN, FABRICATION AND ERECTION SHALL BE IN ACCORDANCE WITH AISC "SPECIFICATION FOR THE DESIGN, FABRICATION AND ERECTION OF STRUCTURAL STEEL FOR BUILDINGS," NINTH EDITION.
- HIGH STRENGTH BOLTING SHALL BE IN ACCORDANCE WITH AISC "SPECIFICATION * FOR STRUCTURAL JOINTS USING ASTM A325 OR A490 BOLTS" (LATEST EDITION).
- ALL STRUCTURAL STEEL SHALL HAVE THE FOLLOWING MINIMUM YIELD STRENGTHS, SHALL BE HOT DIP GALVANIZED PER PER SABS 934 AT GROUND FLOOR, UNLESS OTHERWISE NOTED ON THE DRAWINGS.
- STRUCTURAL TUBING
ALL OTHER
Fy = 46KSI
Fu = 36KSI
- WELDING SHALL BE IN ACCORDANCE WITH AMERICAN WELDING SOCIETY SPECIFICATION AWS A5.1 (1996).
- WELDING ELECTRODES USED FOR SHOP OR FIELD CONNECTIONS SHALL HAVE A MINIMUM ELECTRODE TENSILE STRENGTH OF 70 KSI, UNLESS NOTED OTHERWISE ON THE DRAWINGS, ELECTRODES SHALL CONFORM TO AWS A5.



NOTES:
SUN ENGINEERING & CONSTRUCTION
MANAGEMENT CORPORATION SERVICES IS
LIMITED TO METAL TRUSS DESIGNED.
DESIGNED IS BASED ON 2018 IBC.

KIEFAYAT U. KHAN, PE
FL. P. E. 126183
ABAMA
ENGINEER
NO. 25183
12/2021
KIEFAYAT U. KHAN

SEC.M. CORP.
6732 CEDAR RIDGE CIR. MILTON, FL 32570
PH: 850-623-2233 FAX: 850-665-2445
EMAIL: KIEFAYAT@SEC.M.CORP.COM C.A. # 2487

PROJECT NAME:	S. A. METAL SHEDS
LOCATION:	E. BRENTON, AL 36426
COUNTY:	ESCAMBIA
DATE:	2/11/2021
DRAWN:	KK
CHECKED:	EX
COVER SHEET	SHEET 1 OF 1





City of Bay Minette

Planning & Development Services

PLANNING COMMISSION STAFF ANALYSIS

Meeting: February 9, 2023

Case Number: SP-23003

SUMMARY INFORMATION

Project Name: Timber Ridge Townhomes
Property Location: McMillan Avenue and Petty Lane
Property PID/PPIN: 05-23-03-05-1-000-018.000 // 33264
Current Property Size: 8.19± acres

Requested Action: Site Plan Approval for Phase 1
Applicant: NT&C Investments, LLC
Property Owner: NT&C Investments, LLC & Chester Properties

Subject Property	Zoning	Existing Land Use
SP-23003	R-4	Vacant, Undeveloped
Adjacent Property	Zoning	Existing Land Use
North	R-2, R-4	Petty Lane and Rotary Village Community
South	B-1, R-2	Residential, Undeveloped
East	R-4, B-2, B-1	Bartlett Place VOA, Agriculture, Vacant, Greentree Apt, Oakwood Facility
West	B-1	Residential, McMeans/State Hwy 59

SITE AND REQUEST SYNOPSIS

The subject property, which consists of approximately 8.19± total acres is zoned R-4, High Density Multi-Family Residential District. The property is located at 2109 McMillan Avenue, on the West side of McMillan and South side of the unpaved portion of Petty Lane. The property is currently vacant/undeveloped but appears to be the site of a former residence. The property was part of a right-of-way vacation procedure involving the property owners along Petty Lane and the City of Bay Minette to correct property lines in relation to the location of Petty Lane in 2010. This property was rezoned in 2022 (Z-22003, Ordinance 1007) from B-1, Local Business to R-4, High Density Multi-Family.

This request is for Planning Commission Site Plan approval for Phase 1 of the Timber Ridge Townhomes development, consisting of 48 units. The applicant has future plans for a second and final phase of an additional 48 units, totalling 96 townhome units if fully developed. The first phase includes a retention pond, clubhouse/community building, pool, kids park, and dog park; all for tenants use only. According to application documents, construction of Phase 1 should take approximately 14 months, and contingent on various conditions, Phase 2 construction is proposed shortly after Phase 1's completion. Phase 2 is not being considered with this application and the developer would be required to receive separate Site Plan approval before construction.

ZONING DISTRICT AND TABLE OF PERMITTED USES

6.2.5 R-4, High Density Multi-Family Residential District. The intent of this district is to provide opportunity for high density single-family, duplex, and multi-family residential development in specified areas. Within this district it is also considered suitable to include other uses of a type deemed to be compatible with a good high-density living environment by providing for needed community services. Public or community water and sewer facilities are required.

Table of Permitted Uses and Conditions	R-A	R-1	R-2	R-3	R-4	R-5	B-1	B-2	M-1	M-2
Dwelling, multi-family					R	R	P	P		

DEPARTMENT AND AGENCY COMMENTS

North Baldwin Utilities – No comments to submit at this time.

Bay Minette Public Works – Comments from Preliminary Review included that dumpsters/third-party disposal services would be required as the City could not provide garbage pickup for each unit. Any debris removal would take place along the ROW of Petty Lane or McMillan and could not be conducted inside the development.

Bay Minette Police Department - No comments received.

Bay Minette Fire Department – Requested civil plans for hydrant and FDC locations. The only comments at this time were to confirm the applicant is aware of the 100-ft minimum distance to each FDC for fire hydrant requirements.

Baldwin County E-911 – Noted that the Site Plan labels Petty Ln as “New Petty Lane” and stated that this would need to be fixed to show just Petty Ln. Also noted that addressing plans for the site will require coordination between City Planning & Fire Dept staff with E-911.

Tensaw Engineering, Benjamin White, P.E. – City Consultant as Civil Engineer – Requested utility, drainage/grading plans. No comments at this time, pending review of those plans.

Neel-Schaffer, Shane Bergin, PE, PTOE, PTP, RSP1 – City Consultant as Transportation Engineer – Comments from Preliminary Review included concurrence with paving Petty Lane and noted that the trip generation for the site would not trigger the volume levels that would require turn lanes. He also recommended a sidewalk on the west side of McMillan, but stated that at a minimum, the developer should provide access to the existing sidewalk on the east side of McMillan and construct a crosswalk across the street at an appropriate location. Had no comments to submit after review of the revised plans.

2.) Other matters which may be appropriate in relation to *Section 8.9 Site Plan*

- a) *The density or intensity of land use to be allocated to all parts of the site together with tabulations by acreage and percentages thereof itemized by use and density.*

The site calculations are provided by the developer and are based on the full development of the site with 96 units. All calculations provided meet or exceed the requirements of the Zoning Ordinance. The Lot Coverage noted of 35% maximum allowed is related to the Max Lot Coverage for the R-4 district, and to the specification in *Sec 9.5. Apartments, Townhouses and Condominiums* (Sec. 9.5.3) that no more than 35% of the lot area shall be occupied by buildings.

These Lot Coverage requirements are not specifying an impervious surface total and other impervious surface areas are not included in these calculations, only building coverage. Impervious surface calculations, such as impervious vs landscaped/open space calculations and parking areas were not submitted with the application documents, however, prior to the issuance of any Building Permits, additional plans must be submitted for review by staff and the City Engineers. The development is required to comply with the Zoning Ordinance regulations below:

Timber Ridge Townhomes 96 Units	
"2B" 76 each	"3BG" 20 each
UNIT 2 Bdrm 3 Bath	UNIT 3 Bdrm 3 Bath + Garage
GROSS SF - HEATED AND COOLED 1,242 sf	GROSS SF - HEATED AND COOLED 1,459 sf
FRONT PORCH 64 sf	FRONT PORCH 64 sf
GARAGE 249 sf	GARAGE 249 sf
TOTAL: 1,306 sf	TOTAL: 1,772 sf
x 76	x 20
TOTAL GROSS sf: 99,256 sf	TOTAL GROSS sf: 35,440 sf
PARKING REQUIRED: 1.5 / UNIT = 144 spaces	TOTAL SITE ACRES: 8.19
PARKING PROVIDED: (including garage) = 206 spaces	Lot Coverage
ZONED: R4	ALLOWED: 35%
PARKING SPACE SIZE: 10' X 20'	PROPOSED: 21%
	Density:
	ALLOWED: 14 UNITS per ACRE
	PROPOSED: 12 UNITS per ACRE

7.13 Surface Drainage Owners, particularly developers of larger paved areas such as those in connection with apartment complexes, shopping centers, etc., shall be responsible for increased runoff resulting from these developments which cause flood damage to neighboring property. The Building Official shall, in consultation with a certified Engineer, determine that reasonable provisions for properly handling surface drainage have been made in the applicant's design and report these findings for the Planning Commission's consideration in acting on building applications. If such reasonable provisions are not made in the applicant's design, the Planning Commission shall make such remedies as may be available to the applicant as a condition of the building permit issuance.

TYPE "C"	6 - 2Bedroom Units & 2 - 3Bedroom Units w/garage - 2 ea
TYPE "D"	2 - 2Bedroom Units & 2 - 3Bedroom Units w/garage - 2 ea
TYPE "F"	10 - 2Bedroom Units & 2 - 3Bedroom Units w/garage - 6 ea

8.3.4 Noise, air pollutants including dust emissions, and surface runoff shall not exceed background levels by more than 10%.

9.2.8 Drainage. Off-street parking facilities shall be drained to prevent damage to abutting property and streets and to prevent pollutants from draining onto the adjacent lots. Landscaped areas and perimeter areas shall be so graded as to receive a reasonable portion of the rainfall from the surrounding pavement. Protective curbing around landscaped areas will leave openings for the flow of water onto unpaved areas.

12.1 Erosion and Sediment Control: Persons engaged in land-disturbing activities shall take all reasonable measures to protect all public and private property, including roadways, from damage by such activities. In addition, owners shall comply with all applicable laws, rules and regulations, including federal and state regulations regarding the discharge of storm water. For all projects required by the Alabama Department of Environmental Management ("ADEM") to obtain a national pollutant discharge elimination system ("NPDES") permit, a copy of said permit shall be provided to the City Planner and Building Official prior to the land disturbance activities. For projects requiring a NPDES permit, owners shall prepare a Construction Best Management Practices Plan ("CBMPP") in accordance with ADEM requirements. It shall be the responsibility of the owner to design, install and maintain an ADEM approved CBNPP. Where required by ADEM, owners shall provide the City Planner and Building Official with a copy of its CBMPP prior to land disturbance activities.

b) The location, size and character of any common open space, commonly owned facilities and form of organization which will own and maintain any common open space and such facilities.

Not applicable to this development. Per the application, "there are no commonly owned facilities. This is a privately owned development organized as an LLC with multiple amenities available to the renters. These include the clubhouse, kids park, pool, dog wash and dog park."

c) The use and maximum height, bulk and location of all buildings and other structures to be located on the site.

See Item 2.a) above. All structures appear to be in compliance with the zoning regulations relating to use, height, bulk and location, including the specifics in *Sec 9.5. Apartments, Townhouses and Condominiums*. The calculations in the chart are staff estimates and calculated at the maximum area possible using the submitted plans.

Bldg Type	Sq Ft	# of Buildings	Total Sq Ft	Total Site Area	% Lot Coverage of BUILDINGS
C	7,646.48	2.00	15,292.97		
D	4,482.42	2.00	8,964.84		
F	11,151.56	6.00	66,909.38		
Clubhouse	3,051.56	1.00	3,051.56	356,010.60	26%
			94,218.75		
Others			2,847.66	356,010.60	27%
			97,066.41		
Others					
Maint. Bldg	935.16	1	935.16		
Pool	1,434.38	1	1,434.38		
Mailbox	478.13	1	478.13		
			2,847.66		

d) The substance of covenants, grants of easements or other restrictions which will be imposed upon the use of the land, buildings and structures, including proposed easements or grants for public utilities or other purposes.

Not applicable to this development. Per the application, no covenants or easements are imposed on the property.

e) The provisions for disposition of open space, including tree protection, landscaping provisions and buffering requirements.

Impervious surface calculations, such as impervious vs landscaped/open space calculations and parking areas were not submitted with the application documents, however, prior to the issuance of any Building Permits, additional plans must be submitted for review by staff and the City Engineers, specifically for the requirements referenced below.

Landscape Provisions // Off-Street Parking: The submitted plans do appear to meet Sec 10.10.3 regarding landscaped islands, but additional information will be required to complete the full review.

10.10.1 Landscaped areas and perimeter areas shall be so graded as to receive a reasonable portion of the rainfall from the surrounding placement. Protective curbing around landscaped areas will leave openings for the flow of water onto unpaved areas.

10.10.2 At least ten (10) percent of the total interior area intended for off-street parking shall be suitably landscaped.

10.10.3 A maximum of twelve (12) parking spaces in a row will be permitted without a landscaped island.

10.10.4 Interior portions of the parking area shall be broken by provision of landscaped islands. Such landscaped area shall include the placement of shade or flowering trees at intervals of twelve (12) parking spaces; such trees shall be at least three and one half (3 ½) inches or greater in caliper and twelve (12) feet in height in planting.

10.10.5 Each separate landscaped area must be a minimum of ninety (90) square feet if it is to be counted toward the minimum landscaped area requirements.

10.10.6 Landscaped area shall be protected from vehicular encroachment by the use of curbing or wheel stops.

Buffering: The property is zoned R-4, High Density Multi-Family Residential, with residential properties that are zoned B-1, Local Business District immediately adjacent. Across Petty Lane is R-4, High Density Multi-Family Residential and across

McMillan is B-1, Local Business and B-2, General Commercial zoning. *Sec. 10.11.1* only requires a buffer zone “where a business district abuts any part of a residential district, a buffer zone 10 feet wide shall be required; where an industrial district abuts any part of a residential or business zone, a buffer zone of 20 feet shall be required.” A buffer zone would not be required for this development as it is based on adjacent zoning districts rather than use, however, the plans indicate an 8ft wood privacy fence along the entire length of the interior lot lines abutting the commercially zoned areas, as well as a significant landscaped buffer along the fencing. The proposed buffer exceeds the minimum requirements for a buffer design (*Sec 10.11.1*), which must be one of the three options: Wall or Fence, Screen Planting Strip or Natural Forest. The proposed buffer offers two of the three designs and exceeds those specific minimum design requirements as well.

- a. *Wall or Fence. If a wall or fence is provided as a protection buffer, it shall be six (6) feet high and of a construction and a design approved by the Planning Commission. Said wall or fence shall be maintained in good repair by the owners of the property.*
- b. *Screen planting strip. If a screen planting strip is provided as a protection buffer, it shall be at least then (10) feet in width, shall be planted with materials in sufficient density and of sufficient height (but in no case less than six (6) feet high at the time of planting) to afford protection to the residential or business district from the glare of lights, from blowing papers, dust and debris, from visual encroachment, and to effectively reduce the transmission of noise. Screen planting shall be maintained in a clean and neat condition and in such manner as to accomplish its purpose continually.*

The 8-ft fence proposed exceeds the 7-ft maximum height for fencing in residential areas (*Sec 7.16.5.2*), however, *Sec 10.12* does authorize the Planning Commission to impose additional standards/more stringent designs related to landscape standards that may ensure compatibility with surrounding properties and benefit aesthetics.

10.12 Special Designs. More stringent design and landscape standards may be required in any district if it is determined that the design would be more compatible with the development and more beneficial to the aesthetics of the City of Bay Minette.

Open Space & Landscape Provisions // General: A minimum of 15% total lot area must be landscaped or maintained as open green space, which is approximately 53,400 sq ft. As previously noted, impervious surface calculations, such as impervious vs landscaped/open space calculations and parking areas were not submitted with the application documents, however, prior to the issuance of any Building Permits, additional plans must be submitted for review by staff.

Tree Protection/Greenbelt Zone: This property is not located within the Greenbelt Zone, but the Tree Protection regulations would apply. A tree survey was submitted for the entire site and 24 trees identified within the Tree Protection Zone along McMillan and Petty Lane. There are two significant Live Oak Trees along McMillan that will remain and 17 other trees proposed for removal that meet the criteria for protection. The developer is required to provide replacement trees at a 2:1 ratio, for a total of 34 replacement trees required. The landscape plan has 69 trees to be added to the site and all will meet or exceed the minimum species availability and planting requirements in *Sec 10.8.* and *10.9.*

- f) *In the case of plans which call for development over a period of years, a schedule showing the proposed times within which applications for building permits are intended to be filed.*

The development of Phase 1 has been noted at approximately 14 months with the construction of Phase 2 following shortly thereafter, but is contingent on various factors. For both phases, a construction schedule has been submitted showing construction planned for completion at 303 days for each phase. The Retention Pond is located in the Phase 2 area, but will be constructed during Phase 1.

- g) *Where required by the Alabama Department of Transportation (“ALDOT”), the Building Official shall be provided proof that the applicant has submitted a driveway permit application to ALDOT. In the event that any type of traffic study is required by the ALDOT, copies thereof shall be provided to the Building Official.*

This development has access from McMillan Avenue and Petty Lane, both municipal roadways, and does not require ALDOT approval.

- h) *Front and side architectural elevations.*

Submitted plans detail the elevations for the residential buildings and the Clubhouse. The plans are in compliance with height and design requirements. The applicant’s original submittals for the largest residential structure, Building F, has been revised to be in compliance with the section below:

9.5.1 No more than eight (8) continuous apartments, townhouses and condominiums per floor shall be built in a row with approximately the same front line.

- i) ***The location and size of all signs to be located on the site. In the event that a sign is pre-existing and fails to conform to the requirements as set forth in this ordinance, site plan approval will be granted only under the condition that all signs will comply with the regulations as set forth in the sign ordinance.***

Signage will require a Sign Permit prior to construction/installation to review compliance with the full sign ordinance, but the current plans show one sign along McMillan Avenue that appears compliant with Section 16.5.4:

16.5.4 Multi-Family Residential Signs. Permits are required for all signs located on multi-family residential properties. The following requirements apply to multi-family residential sites:

- a. Wall Sign - 32 square feet.*
- b. Freestanding Sign - 32 square feet.*
- c. Allow one sign of either type at each entrance from a public street.*

The applicant's original submittals were revised to also ensure compliance with Section 7.8:

7.8 Corner Visibility - In any district requiring a front yard setback, no fence, wall, shrubbery, sign, marquee or other obstruction to vision between the heights of three and one-half (3-1/2) feet and fifteen (15) feet above street level shall be permitted within twenty (20) feet of the intersection of the right-of-way lines of two streets or railroads or of right-of-way lines of a street and a railroad. Accessory structures within twenty-five (25) feet of the rear lot line of a corner lot shall be set back the minimum front yard depth required on the side street.

- j) ***Landscape plans.***

See Item (e) above.

- k) ***Any additional data, plans or specifications which the applicant or the City believes is pertinent and which will assist in clarifying the application including, but not limited to plans for screening, lighting and space, surface drainage, erosion and sediment control, water and sewer connections, landscaping, and signs.***

Structure Location: The applicant has revised the original site plan submittals to ensure compliance with:

7.5.1 In any district where multi-family structures, motels or hotels are permitted, two or more such residential structures may be permitted on a lot provided that no building shall be located closer to another building on the same lot than a distance equal to half the sum of the heights of both buildings. In Flood Hazard areas identified on the Flood Insurance Rate Maps (FIRM), the height of a building shall be measured from the floor level of the first habitable story for purposes of this section. In addition, the front or rear of any building may be no closer to the front or rear of any other building than forty (40) feet. The side of any building shall be no closer to the side, front or rear of any other building than thirty (30) feet.

This development is also required to follow the additional special provisions for multi-family development in Sec 9.5 below. The applicant has submitted plans and revised plans to ensure they are either in compliance with all regulations of that section, if not exceeding those requirements:

9.5 Apartments, Townhouses and Condominiums - Within the Districts permitting multi-family units, the following requirements shall apply:

9.5.1 No more than eight (8) continuous apartments, townhouses and condominiums per floor shall be built in a row with approximately the same front line.

9.5.2 No side yard is required except that on corner and interior lots the end of the building in any grouping shall conform to the side yard requirements of the district.

9.5.3 No more than thirty-five (35) percent of the lot area shall be occupied by buildings.

9.5.4 Insofar as practicable, off-street parking facilities shall be under habitable floors of buildings or grouped in bays, either adjacent to streets or in the interior of blocks, and no off-street parking shall be more than 100 feet by the most direct pedestrian route from a door of the structure it intends to serve.

9.5.5 All multi-family developments shall be required to tie into a public or private water system and a public or private sanitary sewer system operating under the conditions of an NPDES permit from the Alabama Department of Environmental Management. No other means of water supply and waste disposal shall be permitted.

9.5.6 All other requirements within the district in which the apartments, townhouses or condominiums are located shall prevail.

Off-Street Parking: Multi-family residential development requires 1.5 spaces for each unit. Approximately 144 parking spaces would be required and approximately 206 parking spaces, 10'x20', are provided per the plans. Parking spaces and sidewalk accessibility must be provided in accordance with the Americans with Disabilities Act, which will be evaluated in the building permitting/inspection phase of development.

Transportation: The applicant has revised the original site plan to meet the recommendations and minimum requirements of the City Transportation Engineer, which included a recommendation for a sidewalk on the west side of McMillan or a minimum, the developer should provide access to the existing sidewalk on the east side of McMillan and construct a crosswalk across the street at an appropriate location. The revised plans show three crosswalks (one on Petty Lane and two on McMillan) and sidewalks along the northern property line adjacent to Petty Lane. Internal sidewalks are also provided for the development.

As previously noted, this property has been part of a ROW vacation related to the location of the unimproved portion of Petty Lane to the north. The roadway will be realigned and relocated to City property/ROW and will be paved from McMillan to McMeans. The developer has agreed to assist with a portion of the cost of paving the roadway, and any road work will be coordinated with Phase 1's construction schedule to protect the surfacing from potential damage due to construction.

STAFF RECOMMENDATION

Based on the information submitted by the applicant, City Staff and Consultant input and the analysis above, staff recommends that the Planning Commission Site Plan Application be

Approved with the following Condition:

The applicant submit the following plans for review and approval prior to the issuance of a Building Permit:

- 1.) Grading, drainage, utility and life-safety plans for review and approval by the Building Official, Fire Inspector and City Engineers.
- 2.) Plans satisfying the provisions for the disposition of open space and off-street parking landscaping provisions, prior to the issuance of a building permit.

PLANNING COMMISSION ACTION

For Site Plan Approval, the Planning Commission makes the final decision and has the option to:

- Approve the Site Plan
- Approve the Site Plan with conditions, stating the conditions required
- Deny the Site Plan, with stated factors for the denial
- Table Request, due to lack of information



City of Bay Minette

Site Plan Review Application

301 D'Olive Street · Bay Minette, Alabama 36507
Phone (251) 580-1650 · COBM_Planning@ci.bay-minette.al.us

Office Use Only	
Case No.:	SP-23003
Fee:	\$300.00
Paid:	<input type="checkbox"/> Cash <input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card

Are you the property owner? ☒ Yes ☐ No
(If you are not the property owner, you must submit an Agent Authorization Form signed by the property owner)

Applicant Name: NT&C Investments, LLC Date: January 11, 2023

Mailing Address: 10386 May Tower Road

City: Stockton State: AL Zip Code: 36579

Phone Number: 256-627-3633 Email: carrie@cmdevelopment.com

Site Information

Property Address: 2109 McMillan Avenue

or Property Location:

*Parcel No.: 05-23-03-05-1-000-018.000 *PPIN No.:

*Parcel or PPIN information must be completed

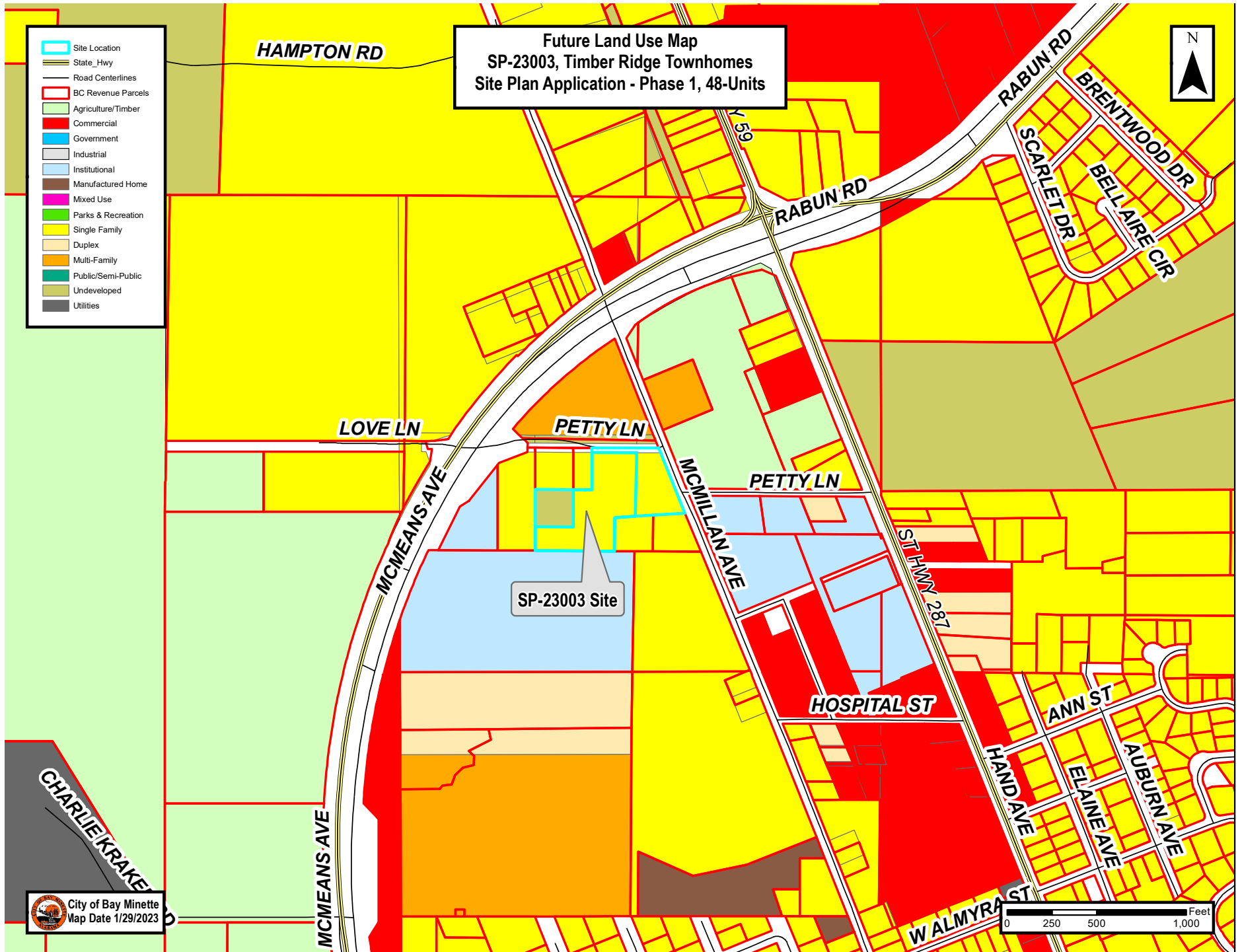
Request: Site Plan Approval

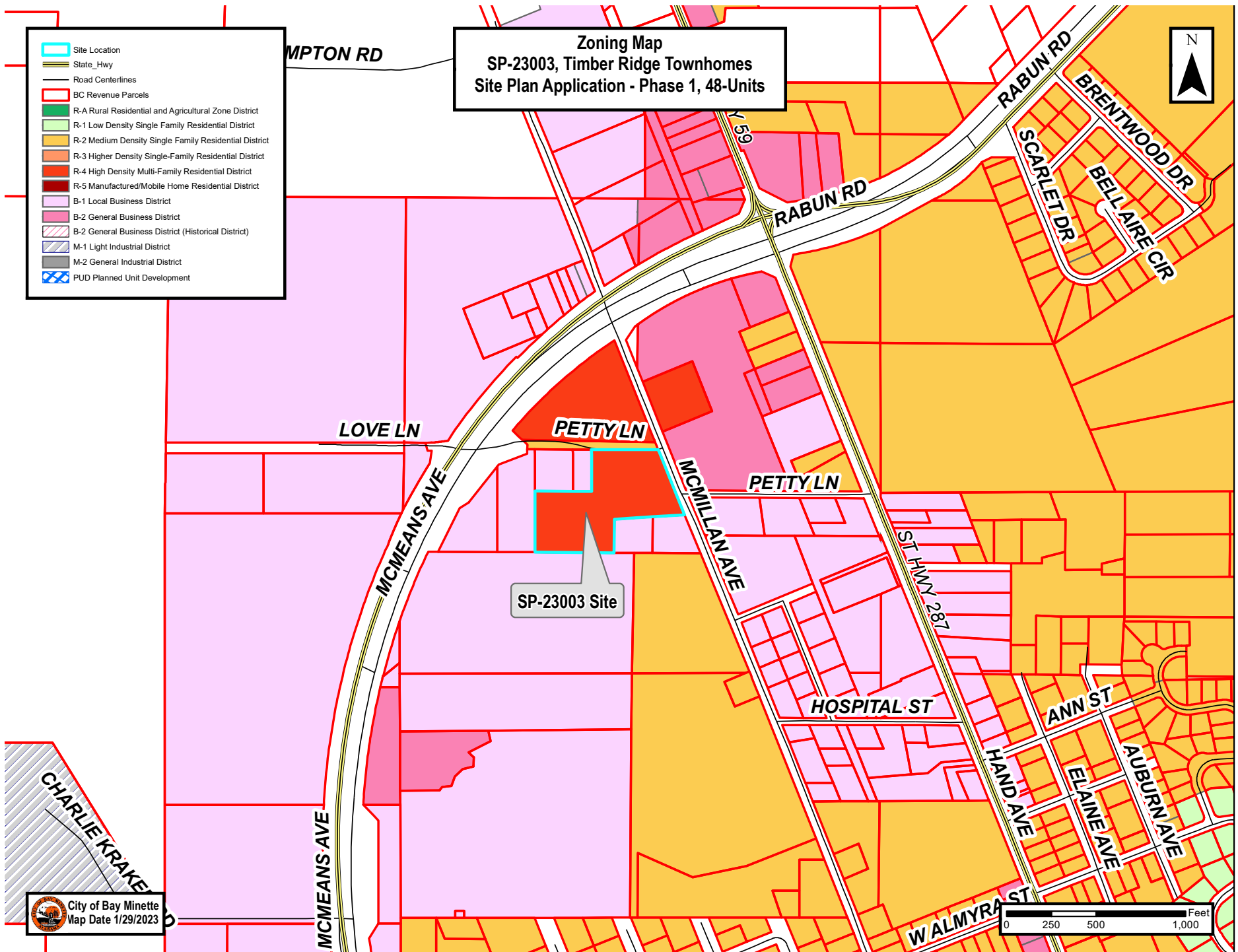
I, the undersigned, do hereby request the City of Bay Minette Planning Commission to grant a Site Plan Review for the location to determine if it meets the regulations of the **Zoning Ordinance** for the reason(s) stated above.

Signature of Applicant (Owner of Property of Authorized Agent) 1/11/2023
Date

Submittal Requirements

- ☒ Application
- ☒ Fee paid in full
- ☒ Agent Authorization Form (if applicant is not the owner)
- ☒ Complete Legal Description of Property
- ☒ Plot Plan or Survey – indicating any existing structures, proposed structures, and setbacks from property lines
- ☒ Submittal Requirements listed in 8.9 Site Plan, as applicable







From: [Shane Bergin](#)
To: [Clair Dorough](#); [Rob Madison](#); [Steven W. Stewart](#); [Ben White](#); [John Byrd](#); [Jason Padgett](#); [Jeff Donald](#); [Scott Warner \(swarner@baldwin911.org\)](#); [Tammy S. Smith](#); [AL Tolbert](#); [Murray Stewart](#)
Cc: [Jessica Peed](#)
Subject: RE: For Review: Timber Ridge Townhomes - PRELIMINARY PLANS
Date: Wednesday, October 26, 2022 2:03:18 PM
Attachments: [Timber Ridge Townhomes.pdf](#)

This message has originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

Clair,

I have attached what would be anticipated from a trip generation standpoint of the development. These volumes wouldn't trigger warrants for turn lanes. I agree with the paving of Petty Lane. McMillan has sidewalk on one side of the street, so I maybe think about sidewalk on the west side of the street also. At a minimum, they should provide access to the sidewalk on the east side of McMillan and construct a crosswalk across the street at an appropriate location.

Shane

.....
Shane Bergin, PE, PTOE, PTP, RSP₁
Project Manager

Neel-Schaffer, Inc.

851 East I-65 Service Road South, Suite 1000
Mobile, AL 36606
Phone: 251.471.2000
FAX: 251.471.5997
Cell: 251.545.1219
Website: www.neel-schaffer.com

From: Clair Dorough <Clair.Dorough@CITYOFBAYMINETTEAL.GOV>
Sent: Thursday, October 20, 2022 10:29 AM
To: Rob Madison <Rob.Madison@CITYOFBAYMINETTEAL.GOV>; Steven W. Stewart <SWStewart@CITYOFBAYMINETTEAL.GOV>; Ben White <bwhite@tensawengineering.com>; John Byrd <jbyrd@tensawengineering.com>; Shane Bergin <shane.bergin@neel-schaffer.com>; Jason Padgett <JPadgett@NBUMAIL.COM>; Jeff Donald <JDonald@NBUMAIL.COM>; Scott Warner (swarner@baldwin911.org) <swarner@baldwin911.org>; Tammy S. Smith <TSmith@CITYOFBAYMINETTEAL.GOV>; AL Tolbert <AL.Tolbert@CITYOFBAYMINETTEAL.GOV>; Murray Stewart <Murray.Stewart@CITYOFBAYMINETTEAL.GOV>
Cc: Jessica Peed <Jessica.Peed@CITYOFBAYMINETTEAL.GOV>
Subject: For Review: Timber Ridge Townhomes - PRELIMINARY PLANS

Please see the attached set of PRELIMINARY plans for Phase 1 of 2 for Timber Ridge Townhomes. This is not the final set to be submitted for Planning Commission Site Plan Approval, but they sent the Appraisers set early so they had time to make any necessary revisions we may require. Each phase will have 48 units plus the noted internal roadways and accessory structures/uses. There will be one access

off McMillan on the East property line directly across from the currently paved Petty Lane and two access points off of the currently unimproved portion of Petty Lane along the Northern property line. The owner has agreed to work with the City to assist with the paving of that portion of Petty Lane - we will need to work out the logistics/timing of the planned realignment and paving in relation to construction.

Please let me know if you have any comments or questions on these plans.

Thank you,
Clair Dorough
City Planner

City of Bay Minette
Planning & Development Services Department
301 D'Olive Street
Bay Minette, AL 36507
(251) 580-1650
www.cityofbayminette.org
[Planning & Development Services Department Site](#)

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Table 1
Trip Generation

Land Use	Intensity	Daily Trips	AM Peak Hour			PM Peak Hour		
			Total	In	Out	Total	In	Out
Multifamily Housing (Low-Rise)	96 Dwelling Units	691	53	13	40	62	39	23
<div> Daily Traffic Generation <div> Multifamily Housing (Low Rise) [ITE 220] = $T = 6.41(X) + 75.31$ </div> </div> <div> AM Peak Hour Traffic Generation <div> Multifamily Housing (Low Rise) [ITE 220] = $T = 0.31(X) + 22.85$ (24%in/76%out) </div> </div> <div> PM Peak Hour Traffic Generation <div> Multifamily Housing (Low Rise) [ITE 220] = $T = 0.43(X) + 20.55$ (63%in/37%out) </div> </div>								

T - Trips



City of Bay Minette

Planning & Development Services

301 D'Olive Street · Bay Minette, Alabama 36507

Phone (251) 580-1650 · COBM_Planning@ci.bay-minette.al.us

Case #: SP-23003 Date: 1/10/2023
Name: Rick Lender - Office Visit
Address: McMillan Ave
Phone Number: _____ Email: _____

Rick Lender visited the office around 9AM 1/10/2023 requesting the survey for the apartment complex at McMillan Ave and Petty Lane. He was informed that the application and accompanying documentation was submitted late afternoon 1/9/2023 and had not yet been processed or reviewed. He stated there is a 42' discrepancy in 'what was presented' during the rezoning proceedings and a survey that had been done. Staff explained that rezonings do not require surveys, only legal descriptions that are provided by the applicant. Further, that documentation submitted as part of the Site Plan review process would be reviewed in depth and that staff would look into the survey discrepancy he noted. Mr. Lender inquired about Planning Commission dates and informed that the Site Plan application had been submitted and tentatively on the agenda for the February 9th meeting. He asked when the survey and topo maps would be available for public review and was informed by staff that the application submittals had yet to be reviewed to determine if a topo map was submitted.

Received by: Clair Dorough

Zoning Ordinance of the City of Bay Minette

~~Amended March 7, 2022 — Ordinance 1002~~

DRAFT AMENDMENTS

Presented February 9, 2023

8.6 Metal Buildings

8.6.1 On properties sited closer than 200 feet from the right-of-way, or properties visible from Alabama Highway 59, Highway 31 or Hand Avenue north of Highway 31 to McMeans Avenue, Highway 138, State Highway 287 and D'Olive Street, the exterior metal walls of the front and any sides of a building facing said public street, that will be constructed with metal cladding as the primary siding material, shall not be constructed to expose more than 50% percent of bare metal siding façade facing said right-of-way or roadway. All metal buildings shall have at least two exterior architectural features for articulation, such as front porches, gables, awnings, or other exterior siding materials, on the front elevation and any other elevation that is adjacent to or visible from a public street or right-of-way. Landscaping shrubs and/or trees shall be planted and maintained in front of bare metal siding portions of the building, facing the roadway or right-of-way, to improve the aesthetics of the building and lot.

8.6.2 For developments with phased plans, the exterior façade required by this provision shall be completed within the first phase of construction. A Certificate of Occupancy shall not be issued nor additional building permits received for the site if this requirement has not been completed in accordance with approved plans and to the satisfaction of the City Planner or Planning Commission.

8.7.1.4 No accessory structure shall be constructed or moved upon a lot until the construction of the primary structure has commenced.

8.7.1.6 Accessory Structures which are clearly incidental to the permitted use of the premises for Commercial and Industrial uses will conform to the following requirements:

- a. A non-residential detached accessory structure 600 square feet or less, and not requiring engineered plans as determined by the Building Official, shall be required to obtain Land Use Approval from the City Planner prior to construction.
- b. Any non-residential accessory structure not conforming to the provisions of this section shall be required to receive Site Plan Approval from the Planning Commission.
- c. A non-residential detached accessory structure shall not be closer than ten (10) feet to another structure, nor closer than five (5) feet to any lot line or encroach into any existing drainage or utility easements.
- d. No detached accessory structure may: (1) be located forward of the building frontage of the primary structure; or (2) be closer than twenty (20) feet to any right-of-way.
- e. Where a business district abuts any part of a residential district, the detached accessory structure shall be located no closer than ten (10) feet to the property line; where an industrial district abuts any part of a

- residential or business zone, the detached accessory structure shall be located no closer than twenty (20) feet to the property line.
- f. Detached accessory buildings shall not exceed one and one half (1.5) stories or twenty (20) feet in height.

8.9 Site Plan Approval Application

An application for Site Plan Approval ~~site plan~~ shall be required for all residential multi-family projects involving the construction of three (3) or more dwelling units; all new or expanding commercial structures, all new or expanding industrial structures, and other uses as required by the Planning Commission prior to a building permit being issued. Site Plan Reviews shall be accomplished by the Planning Commission to assure compliance with the provisions of this Zoning Ordinance to ensure conformity with its purpose as stated in *Article 1*. ~~Eleven (11) sets of site plans shall be submitted no less than ten (10) days prior to the Planning Commission meeting at which they are to be reviewed. The City Planner shall have the discretion to accept electronic submittals in satisfaction of some or all of the submittal requirements.~~ Three (3) full-sized sets of site plans and an electronic version shall be submitted prior to the Planning Commission meeting at which they are to be reviewed in accordance with the current Meeting and Application Deadline Schedule.

8.9.1 Applicants are urged to consult early and informally with the City Planner to facilitate the Site Plan application process. A pre-application conference with City Staff is mandatory prior to submitting a Site Plan Approval Application. The purpose of Pre-Application Conference is to acquaint the applicant with the regulations governing the proposed development, procedures for approval, and other agencies or officials who must approve any part of the plan. Neither the applicant nor the Planning Commission are bound by considerations delivered during the Pre-Application Conference.

8.9.2 Where any project or site is to be developed in stages or phases, no application for Site Plan Approval for any fraction of the site shall be accepted for review unless a Master Plan is submitted or has been previously approved. The Master Plan shall be a conceptual plan showing the entire development site and all component stages or phases, and shall express the overall development concept for the site at build-out.

8.9.3 Upon approval of the site plan, either as submitted or with changes and/or special conditions required by the Planning Commission, the Building Official may issue a building permit for a portion or all of the proposed development; provided that the application is in compliance with all applicable City, County, State and Federal requirements.

8.9.3 The City Planner or Planning Commission may waive certain requirements contained in

Section 8.9.3 of this Ordinance if it is determined that the requirements are not essential to a proper decision on the project; or, ~~it~~ may supplement the list with other requirements deemed necessary to clarify the nature of the proposed development.

8.9.4 Site plans shall include the following information unless some or all of these requirements are waived by the [City Planner](#) or Planning Commission.

- a. The location and size of the site including its legal description and a current certified survey.
- b. A vicinity map showing the site relation to surrounding property.
- c. The recorded ownership or developer's interest if the developer is not the owner.
- d. The relationship of the site to existing development in the area including streets, utilities, residential, and commercial development, and physical features of the land including significant ecological features. This information may be combined with requirements for the vicinity map specified in this section.
- e. The density or intensity of land use to be allocated to all parts of the site together with tabulations by acreage and percentages thereof itemized by use and density. [Site calculations shall include the detailed information on the dimensions and/or area of the following:](#)
 - 1) [Existing Structure square footage](#)
 - 2) [Proposed Structure square footage](#)
 - 3) [Existing Impervious Surface area including parking areas and access/driveways](#)
 - 4) [Proposed Impervious Surface area including parking areas and access/driveways](#)
 - 5) [Proposed Landscaped/Open Space areas](#)
 - 6) [Number of Parking Spaces provided with dimensions and provisions for accessible parking and travel paths.](#)
- f. The location, size and character of any common open space, commonly owned facilities and form of organization which will own and maintain any common open space and such facilities.
- g. The use and maximum height, bulk and location of all buildings and other structures to be located on the site.
- h. The substance of covenants, grants of easements or other restrictions which will be imposed upon the use of the land, buildings and structures, including proposed easements or grants for public utilities or other purposes.
- i. The provisions for disposition of open space, including tree protection, landscaping provisions and buffering requirements.

- j. In the case of plans which call for development over a period of years, a schedule showing the proposed times within which applications for building permits are intended to be filed.
- k. Where required by the Alabama Department of Transportation (“ALDOT”), City Planner shall be provided proof that the applicant has submitted a driveway permit application to ALDOT. In the event that any type of traffic study is required by the ALDOT, copies thereof shall be provided to the City Planner.
- l. Front and side architectural elevations.
- m. The location and size of all signs to be located on the site. In the event that a sign is pre-existing and fails to conform to the requirements as set forth in this ordinance, site plan approval will be granted only under the condition that all signs will comply with the regulations as set forth in the sign ordinance.
- n. Landscape plans, [in accordance with Section 10.4 Landscape Plan Standards](#).
- o. Any additional data, plans or specifications which the applicant or the City believes is pertinent and which will assist in clarifying the application including, but not limited to plans for screening, lighting and space, surface drainage, erosion and sediment control, water and sewer connections, landscaping, and signs.

8.9.5 [Incomplete Submittals](#)

[The City Planner, or designee, shall review applications to determine if the submittals meet all the requirements herein. Incomplete, partial, or inaccurate submittals will not be accepted, but will be returned to applicant for re-submission for a later meeting. Staff shall submit the Site Plan application and plans to all other City departments, County and State agencies and other officials and agencies, as may be applicable, for review and recommendations. Following staff review and comments, the applicant shall submit a revised plat for review by staff and other officials or agencies as appropriate. The revised submittals shall reflect the initial review comments. Once applications are deemed complete, Planning Staff will schedule the application for presentation to the Planning Commission in accordance with the established Meeting and Deadline Schedule.](#)

8.10 Table of Permitted Uses