CITY OF BAY MINETTE PLANNING COMMISSION

AGENDA November 14, 2019 Regular Meeting 8:00 a.m. City Hall Conference Room 301 D'Olive Street, Bay Minette

- 1. Call to Order
- 2. Invocation and Pledge
- 3. Approval of Minutes for the October 10, 2019 Regular Meeting
- 4. Old Business
 - Proposed Zoning Amendment
- 5. New Business
 - a.) SP-1901, Beasley Property Site Plan Approval

Request: Site Plan Approval of single family dwelling in a B-2, General Business District

Location: The subject property is located at 10190 D'Olive Street.

b.) Public Hearing Case No. Z-1902, Joiner Property PUD

Request: Approval of a Planned Unit Development

Location: The subject property is located at 310 Clay Street.

- c.) Proposed 2020 Meeting and Application Deadline Schedule
- 6. Reports
 - a.) Mayor/Council
 - b.) Attorney
 - c.) Commissioner's Comments
 - d.)Planning Staff
- 7. Adjournment

Bay Minette Planning Commission Regular Meeting Minutes

Minutes October 10, 2019

Monthly Meeting No. 10

The Bay Minette Planning Commission met in Regular Session on Thursday, October 10, 2019. The meeting was called to order by Chairman Stewart at 8:00 a.m., in the Conference Room 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 8:00 a.m. the following members were present:

Todd Stewart, Chairman
Ed Pepperman, Vice-Chairman
Pat Robinson, Building Official
Scotty Langham, Commission Member
Jessica Davis, Commission Member

Commission Members absent:

John Biggs, Council Member David Diehl, Commission Member

Other persons in regular attendance:

Scotty Lewis, Attorney
Rita Diedtrich, City Clerk
Tammy Smith, City Administrator/Finance Director
Clair Dorough, City Planner
Steven Stewart, Fire Department
Leslie Johnston, SARPC

Attending late:

Robert A. "Bob" Wills, Mayor

GUESTS

David Lindsey
Tejuania Nelson

Carlos Gill (Attended late)

Danny Patterson (Attended late)

INVOCATION

Chairman Stewart gave the invocation, followed by the pledge. Chairman Stewart introduced newly appointed Commission Member Jessica Davis.

ITEM 3.

Approval of Minutes of the September 12, 2019. Commission Member Pepperman made a motion to approve the minutes. The motion was seconded by Commission Member Langham and unanimously carried.

ITEM 4. Old Business

 Chairman Stewart noted that projects previously presented would be resubmitted for consideration. Those projects include: Baldwin Pole and Piling Subdivision and J. W. Joiner's Planned Unit Development project on Clay Street.

ITEM 5. New Business:

A: Public Hearing Case No. Z-1901, Lighthouse Holiness Church, Inc.

Request: Approval of rezoning from R-2, Medium Density Residential Single-Family to B-2, General Business District for a Religious Daycare Center.

Location: The subject property is located at 1829 US Highway 31, in the former Green Acres Baptist Church building.

Mrs. Dorough presented the staff analysis to the Commission. Mrs. Dorough stated that the project was started without any permits and that applicant would need to verify access onto Highway 31 with the Alabama Department of Transportation. Chairman Stewart asked the applicant representatives about the number of students proposed and if the facility would also be used as a church. The applicant stated approximately 120 students and the academy would only be used as a HeadStart/daycare facility. Chairman Stewart also asked about screening from adjacent residential properties. After much discussion, Commission Member Pepperman moved to recommend the project to the City Council for re-zoning from R-2 to B-2. The motion was seconded by Commission Member Langham. Prior to a vote, City Attorney Scotty Lewis made a point of order regarding the required public hearing for the rezoning request. Commission Member Pepperman rescinded his motion, and Commission Member Langham rescinded his second. At that time, Chairman Stewart opened the public hearing at 8:20am. With no one present in opposition to the project, Chairman Stewart closed the public hearing at 8:21am. After much discussion, Commission Member Pepperman moved to recommend the project to the City Council for re-zoning from R-2 to B-2. The motion was seconded by Commission Member Langham and unanimously carried. Commission Member Pepperman moved to approve the use the building for a daycare contingent upon City Council approval of the rezoning. The motion was seconded by Commission Member Langham and unanimously carried. City Attorney Lewis brought up a discussion of Planning Commission approval required for the use of a daycare facility in a B-2 zoning designation. After much discussion, Commission Member Pepperman made a motion to approve the use of the property as the Lighthouse Academy daycare center contingent upon a successful rezoning request to the City Council. The motion was seconded by Commission Member Langham and unanimously carried.

B: Zoning Ordinance Revision

Before Chairman Stewart brought up the next order of business, Mayor Wills updated the council on the Bay Minette Elementary School move on Friday and excused himself from the meeting.

Chairman Stewart stated that the zoning ordinance would need some revision and a Planning Commission work session will be held to discuss the revisions. Mrs. Dorough presented an overview of the proposed revisions, including:

- o Authority of the planning/zoning official
- o Commercial Ice Vending Machines
- o Food Trucks
- o Accessory Structures
- o Table of Permitted Uses

Chairman Stewart proposed a revision to the Administrative Subdivision Regulations to allow staff review and approval of combination of parcels parcel line reconfigurations where no new parcels are created.

ITEM 6. Reports:

A. Mayor/Council Report:

• City Administrator Tammy Smith spoke concerning the Alabama Opportunity Zone Meeting.

B. Attorney Report

• Mr. Lewis spoke concerning the need to revise the ordinance concerning moving of a lot line.

C. Commissioner's Report

• SARPC representative Leslie Johnston brought up the inclusion of "Tiny Homes" into the discussion of potential zoning ordinance amendments as

well as including a list of "Interpretations" into the back of the Zoning Ordinance and a list of amendments with a brief summary.

• Chairman Stewart announced that Tripp Ward has been appointed by the City Council to the Planning Commission but is awaiting approval from Alabama Power to accept the appointment.

D. Planning Staff

- Mrs. Dorough announced that the City had recently hired a Code Enforcement Officer, Thomas Brown, and that the Planning Department had implemented new forms for zoning verifications, code enforcement and complaint forms are now online.
- ITEM 8. With no further business Chairman Stewart adjourned the meeting at 9:10 a.m.

	DONE THIS THE 10 TH DAY of OCTOBER 2019
	Todd Stewart, Chairman
ATTEST:	,
Rita Diedtrich, City Clerk	

DRAFT - Proposed City Ordinance

Whereas, the City of Bay Minette ("City") has heretofore established the positions of Administrative Captain Training/Fire Inspections ("Fire Inspector") and Code Enforcement Officer;

Whereas, the duties and authority of the Fire Inspector include the implementation, administration and enforcement of the City Fire Code;

Whereas, the duties and authority of the Code Enforcement Officer and/or the designee(s) as provided for herein, include the enforcement of all laws of the State of Alabama and City Ordinances ("Laws and Ordinances") concerning health, sanitation, public welfare, construction, alteration, removal and demolition of buildings and structures;

Whereas, it is critical that the Fire Inspector, the Code Enforcement Officer and/or the designee(s) as provided for herein, have the authority to enter upon private property located in the police jurisdiction of the City to make inspections in order to enforce applicable Laws and Ordinances;

Whereas, it is also necessary that the Fire Inspector, the Code Enforcement Officer and/or the designee(s) as provided for herein have the authority to issue necessary notices, citations and to take necessary enforcement actions in connection herewith; and

Whereas, to provide flexibility in the enforcement of the Laws and Ordinances, it is necessary for the Mayor to have the authority to designate additional City officials to exercise the authority created herein.

Now, therefore, be it ordained by the City of Bay Minette as follows:

- (1) The Fire Inspector is hereby vested with authority to implement, administer and enforce the City Fire Code, including, without limitation the right of entry and enforcement authority set forth therein.
- (2) The City's Code Enforcement Officer or the designee(s) of the Mayor are hereby vested with the authority to issue all necessary notices or orders to ensure compliance with all Laws and Ordinances related to health, sanitation, public welfare, construction, alteration, removal and demolition of buildings and structures.
- (3) The City's Code Enforcement Officer or the designee(s) of the Mayor are hereby vested with the authority to issue citations and take all necessary enforcement actions in connection with any violation of any Law or Ordinance concerning health, sanitation, public welfare, construction, alteration, removal and demolition of buildings and structures.
- (4) In the discharge of official duties, and upon proper identification, the City's Code Enforcement Officer or the designee(s) of the Mayor are hereby vested with the authority to to enter any building, structure, or premises at any reasonable hour.



City of Bay Minette Planning & Development Services

Planning Commission Staff Analysis

Case No. SP-1901, Beasley Property Site Plan Approval November 14, 2019

Subject Property Information

Physical Address: 10190 D'Olive Street

Parcel Number: 05-22-07-14-0-000-011.000 Current Zoning: B-2, General Business District

Proposed Land Use: Single Family Dwelling

Acreage: 19.5 acres ±
Applicant: William Beasley

311 Magnolia Avenue, #34

Satsuma, AL 36572

Owner: Same

Adjacent Land Use		Adjacent Zoning		
North Timber B-2, General Business		B-2, General Business		
South Timber M-1, Light Industrial		M-1, Light Industrial		
East	Timber	Outside Muncipal Limits		
West	Yest Timber B-2, General Business and Outside Muncipal Limits			

Summary

The subject property, which consists of approximately 19.5 acres, is currently zoned B-2 General Business District. It currently contains a shipping container converted to an office with the majority of the property being timberland. The applicant is requesting Site Plan Approval to construct a single-family home, as required by the Table of Permitted Uses.

Current Zoning District

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.

Proposed Use

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, one-family.	R	R	R	R	R	R	Р	Р		

8.8.2 Uses requiring planning approval. Uses in the tables identified by "P" are permitted upon approval by the planning commission of the location and the site plan as being appropriate with regard to transportation, access, water supply, waste disposal, fire and police protection and other public facilities; as not causing undue traffic congestion or creating a traffic hazard; and as being in harmony with the orderly and appropriate development of the district in which the use is located. Each application to the planning commission for approval must be accompanied by a site plan prepared by the applicant or his agent.

Staff Analysis and Findings

The following guidelines for Uses Requiring Planning Approval are found in **Article VIII – District Requirements** in the **Zoning Ordinance of the City of Bay Minette**. These factors are to be considered when an application is being reviewed for site plan approval.

1.) Is the Location and Site Plan appropriate with regard to transportation, access, water supply, waste disposal, fire and police protection and other public facilities; not causing undue traffic congestion or creating a traffic hazard.

The proposed single-family dwelling will not have a substantial impact on public facilities. The property has an existing shipping container that has been converted into an office on the site with a reclaimed asphalt driveway accessible from D'Olive Street. As the property is located on D'Olive and is a county-maintained roadway that requires a 40-foot setback from the centerline of the roadway.

2.) Being in harmony with the orderly and appropriate development of the district in which the use is located. The location of the proposed residence is on 19.5± acres, in an area with low to no development. It is bordered on the east by property outside of the municipal limits and to the west by one parcel zoned B-2 and other property outside of municipal limits. To the south is a large tract of approximately 135 acres of property zoned M-1. All properties that are immediately adjacent to the subject property are owned by the applicant. Across D'Olive Street, are two large tracts of land, 31 acres and 127 acres, that are zoned B-2. Otherwise, properties in the vincinity are located outside of municipal limits.

Planning Commission Action

For Site Plan applications, the Planning Commission makes the final decision.

The Planning Commission has the option to:

• Approve the Site Plan as submitted.

- Approve the Site Plan, with conditions.
- Deny the Site Plan, with stated factors for the denial.

15.2.6 *Limitation on resubmittal.* No application for a zoning map amendment shall be considered within 365 days from a final decision on a previous application for the same or similar parcel of land. An application may be withdrawn without prejudice prior to the public hearing being open by the city council. A request to withdraw an application shall be made in writing.



City of Bay Minette Site Plan Review Application

Office Use Only

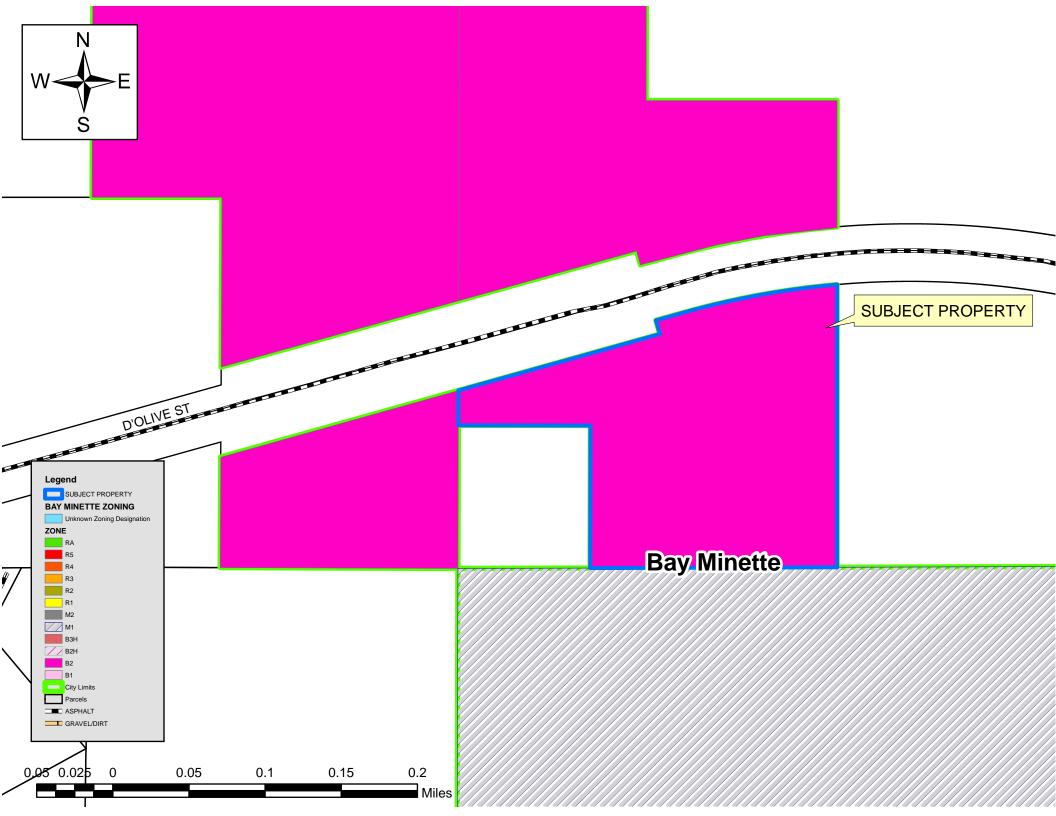
Case No.: SP - 1901

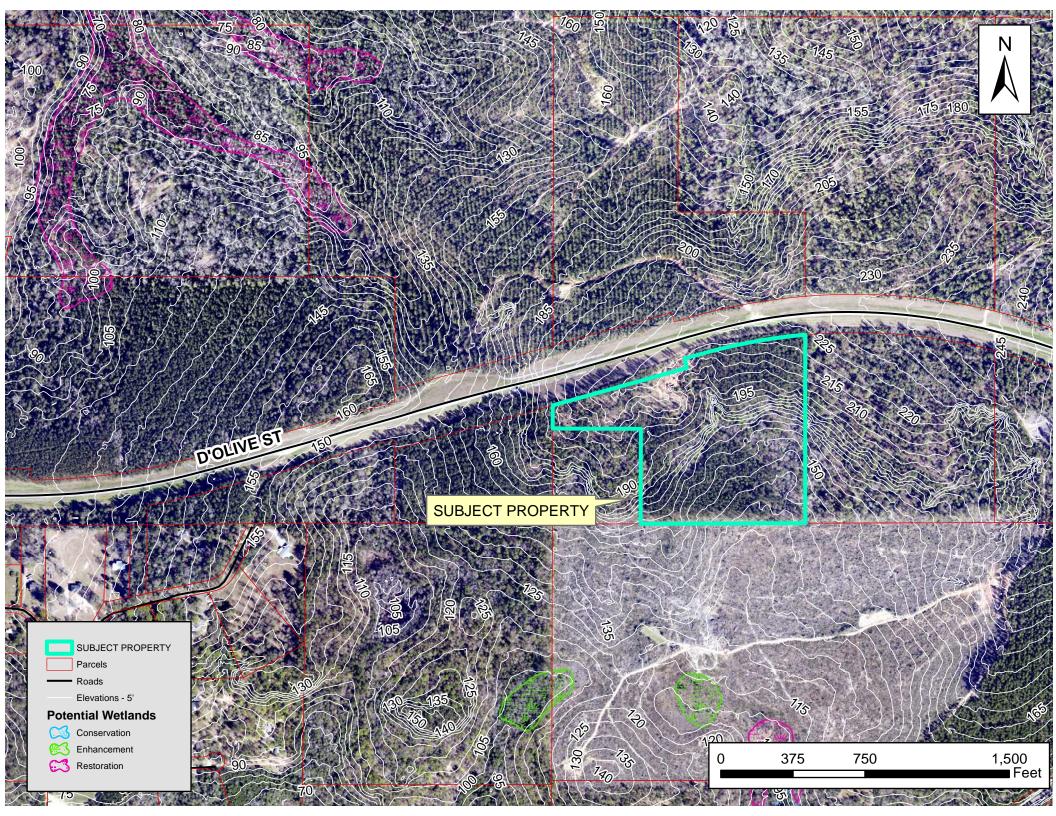
Fee: \$250.00

Paid:

Cash Check
Credit Card

Are you the property owner? Ves \square No (If you are not the property owner, you must submit an Agent Authorization Form signed by the property owner)
Applicant Name: WILLAM BREASCEY Date: 10.22,19
Mailing Address: 311 MAGNOUA ALE #34
City: SATSUMA State: Zip Code: 36572
City: SATSUMA State: A Zip Code: 36572 Phone Number: 251.422.9894 Email: 607176566 AoL60
Site Information
Property Address: 10190 DOUVER ST
or Property Location:
*Parcel No.: 22-07-14-0-000-011.000 *PPIN No.: 075096 *Parcel or PPIN information must be completed
Request: SMalt Family Deutle
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 <i>Zoning Ordinance</i> for the reason(s) stated above.
10.27.19
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









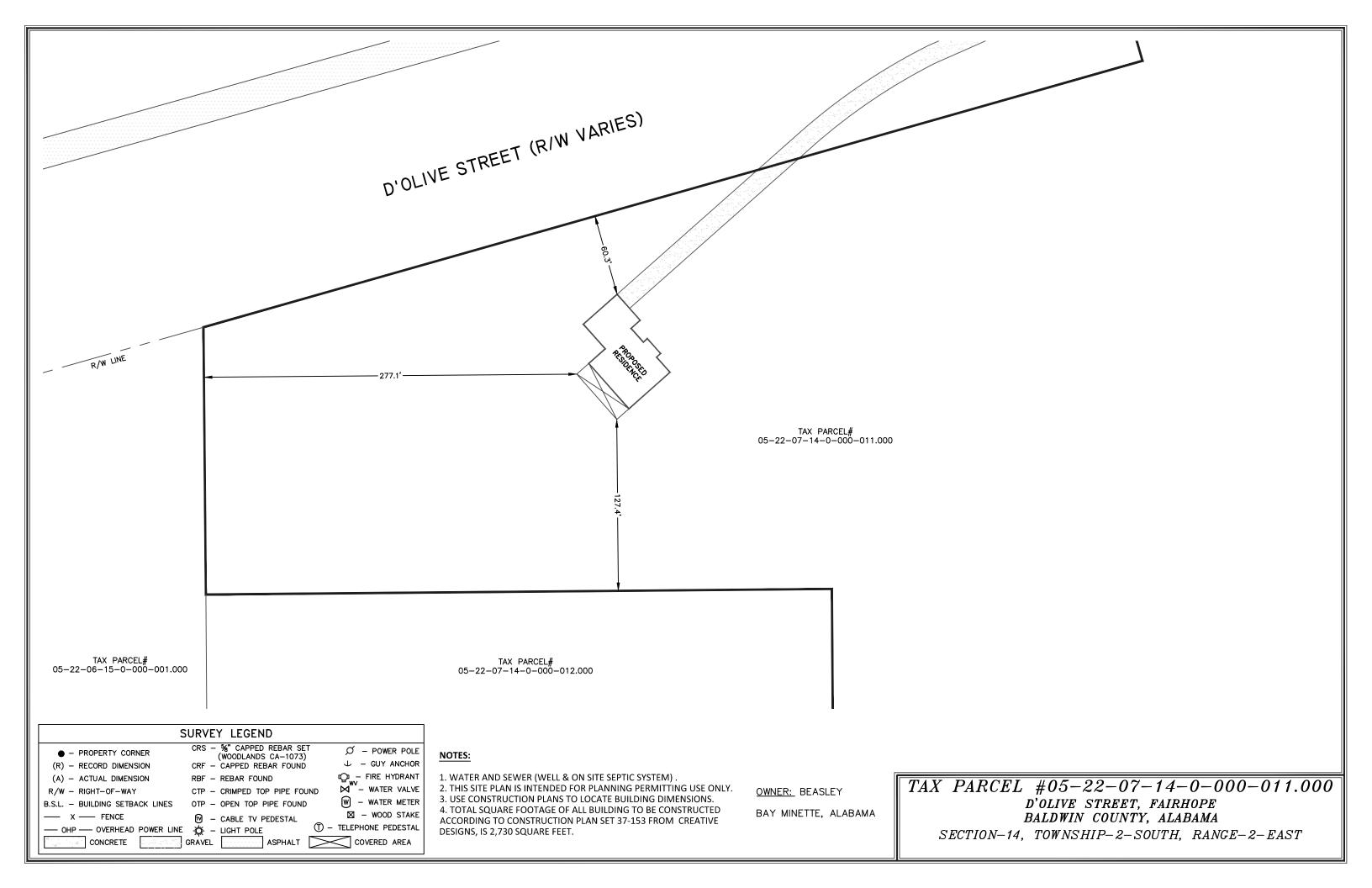














City of Bay Minette Planning & Development Services

Planning Commission Staff Analysis

Case No. Z-1902, Joiner Property

Rezone Request from R-5, Manufactured/Mobile Home Residential District,
to PUD, Planned Unit Development

November 14, 2019

Subject Property Information

Physical Address: 310 Clay Street

Parcel Number: 05-23-05-16-1-003-003.000

Existing Zoning: R-5, Manufactured/Mobile Home Residential District

Proposed Zoning: PUD, Planned Unit Development **Existing Land Use:** Manufactured/Mobile Home Park

Proposed Land Use: Planned Unit Development – Single Family

Acreage: 2.25 acres ±
Applicant: Jesse W. Joiner III
P.O. Box 1643

Bay Minette, AL 36507

Owner: Same

Adjacent Land Use		Adjacent Zoning		
North	Residential	R-3, Higher Density Single Family Residential		
South Residential		R-3, Higher Density Single Family Residential		
East Residential R-3, Higher Density		R-3, Higher Density Single Family Residential		
West	Residential	R-3, Higher Density Single Family Residential		

Summary

The subject property, which consists of approximately 2.25 acres, is currently zoned R-5, Manufactured/Mobile Home Residential. It is currently being used as a manufactured/mobile home park that has been established since 1960. The applicant is requesting a rezoning to Planned Unit Development (PUD) to construct single-family homes. At the time of application, the applicant was in the process of removing any unused or unlivable mobile homes. The existing manufactured/mobile home park was established with 14 units in place. The applicant is proposing to replace the allowed 14 manufactured homes with the same number of permanent single-family dwellings. The proposal is divided into 5 phases and also includes access improvements, screening/fencing replacement and a dedicated area for common green space.

Current Zoning District

6.2.6 R-5, Manufactured/Mobile Home Residential District. The intent of this district is to provide space at appropriate locations consistent with community objectives for the establishment of permanent manufactured/mobile homes and for the amenities conducive to an adequate living environment. Public or private community water and sewer facilities are required except where lots are equal to Health Department requirements for private wells and septic systems.

Proposed Zoning District

6.2.7 PUD, Planned Unit Development. This zoning district is to provide an opportunity for the best use of land, protection of valuable natural features in the community, provide for, larger areas of recreational open space, more economical public services and opportunity for mixed use. The purpose of this provision is to encourage the unified development of tracts of land, much more creative and flexible concepts in site planning. Additional criteria for this zoning district can be found in Article XI of the ordinance.

Staff Analysis and Findings

The following factors for reviewing zoning amendments are found in **Article XV** - **Amendment** of the **Zoning Ordinance of the City of Bay Minette**. These factors are to be considered when an application is being reviewed for rezoning.

1.) Compliance with the Comprehensive Plan

The subject property is not designated as Manufactured Housing on the Future Land Use Map in the Comprehensive Plan, but is shown as Single Family.

2.) Compliance with the standards, goals and intent of this ordinance

The Zoning Ordinance was intended to promote the health, safety, convenience, order, prosperity, and general welfare of the residents; to lessen congestion in the street; to secure safety from fire, panic, and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, and parks; to facilitate initiation of the comprehensive plan, and other public requirements.

The proposed permanent single family dwellings fall under the promotion of the health, safety, and general welfare of the residents. The proposed single family use fits better within the designation of the Future Land Use Map of the Comprehensive Plan than the current Manufactured/Mobile Home Park zoning and use.

3.) The character of the surrounding property, including any pending development activity

The subject property is surrounded by R-3, Higher Density Single Family zoning. The property adjacent to the North is a collection of Housing Authority duplexes and the properties to the South, East and West of the subject property are all single family homes.

4.) Adequacy of public infrastructure to support the proposed development

The subject property is accessed from Clay Street, which was re-paved in the early 2019. The applicant has been working with North Baldwin Utilities and the site has adequate water and sewer connections. Bay Minette Fire Department has reviewed the application and noted the needed an all-weather driveway, turn around area for fire trucks and fire hydrant within 600 feet of the most remote structure. Per the submitted site plan, the applicant has complied with all requirements.

5.) Impacts on natural resources, including existing conditions and ongoing post-development conditionsNo major impacts are expected, the site has existed since the 1960's with a similar configuration and density.

6.) Compliance with other laws and regulations of the city

The applicant has been working to remove the dilapidated mobile homes on the property, which is in line with the City's Code on Unsafe/Nusiance Structures.

7.) Compliance with other applicable laws and regulations of other jurisdictions

The subject property sits within the city limits of Bay Minette and falls under the city's jurisdiction.

8.) Impacts on adjacent property including noise, traffic, visible intrusions, potential physical impacts, and property values

As stated previously, the site has been existing as a 14-unit mobile home park since the 1960's, so no increased negative impact is anticipated. The change from mobile homes to permanent single-family dwellings is expected to have a positive impact on the surrounding property. The proposed development regulations submitted as part of the PUD is expected to have a positive effect on the future development of the property, particularly in regards to parking, no home occupations, junk vehicles and future construction.

9.) Impacts on the surrounding neighborhood including noise, traffic, visible intrusions, potential physical impacts, and property values

Considering the comments above, the proposed rezoning should have little impact on the surrounding neighborhood.

11.) Other matters which may be appropriate.

Bay Minette Police Department has no concerns with the plan and stated that it would be an improvement over current conditions. The Planning Department had two phone calls from citizens regarding the rezoning, both seeking information after seeing the public notice sign. Only one had questions/concerns regarding traffic and crime.

Planning Commission Action

For rezoning applications, the Planning Commission sends an advisory recommendation to the City Council, who makes the final decision. The Planning Commission has the option to:

- Make a recommendation to the City Council for approval of the rezoning from R-5,
 Manufactured/Mobile Home Residential to PUD, Planned Unit Development.
- Make a recommendation to the City Council for approval of the rezoning from R-5,
 Manufactured/Mobile Home Residential to PUD, Planned Unit Development, with conditions.
- Make a recommendation to the City Council for denial, with stated factors for the denial, of the rezoning from R-5, Manufactured/Mobile Home Residential to PUD, Planned Unit Development.
- **15.2.6** *Limitation on resubmittal.* No application for a zoning map amendment shall be considered within 365 days from a final decision on a previous application for the same or similar parcel of land. An application may be withdrawn without prejudice prior to the public hearing being open by the city council. A request to withdraw an application shall be made in writing.



City of Bay Minette Rezoning Application

Fee- \$250.00

Date Paid: 10 00 17

Paid: Check Cash ፟보4073□ Credit Card

Are you the property owner? WYES \(\square\) NO (If you are not the property owner you must submit Owner Authorization Form signed by the property owner)
Applicant Name: Jesse W. Joiner The Date: 10.22.19
Mailing Address: P.O. Box 1643
City: Bay Minette State: AL Zip Code: 36507
City: Bay Minette State: AL Zip Code: 36507 Telephone Number: 251 370 5533 Email: Joine 1 20 hot mail: com
Site Information
Property Owner Name:
Property Address: 310 Clay Street
Parcel/PPIN #: 34793
Area of Property, Sq. Ft., or Acres: 2.25 Acres
Present Zoning: Requested Zoning: PUD
Reason for Request/ Intended use of property: Removal of mobile home park to construct
14 single family dwellings
I, the undersigned applicant, understand that payment of these fees does not entitle me to approval of this rezoning and that no refund of these fees will be made. I have reviewed a copy of the applicable zoning regulations and understand that I must be present on the date of the meeting.
Signature: Date: 10.23.19
Submittal Requirements Application Fee Agent Authorization Form (if applicant is not the owner) Survey or boundary map showing exact dimensions of the property to be rezoned Legal description of property

Development Regulations "Name to be Determined" 310 Clay St Bay Minette, AL 36507 11/1/19

Maximum Building Size Maximum Height **Maximum Buildings**

Setbacks

Landscaping Signs

Architecture Other

Phase Plan

Paving Plan

1200sq. ft. 1 Story 14

Minimum 10' from adjoining

properties

Minimum 15' from each dwelling

Sod and seeded

Entrance Sign(Name of Property) No Other Signs, including window signs or posted advertisements Brick veneer, asphalt shingles

No from home businesses

Pet Deposits & Monthly Pet Fees (pest control, waste management) 2 Parking Spots per dwelling No junk/abandoned vehicles

No Outside Structures

Nothing to be Constructed or

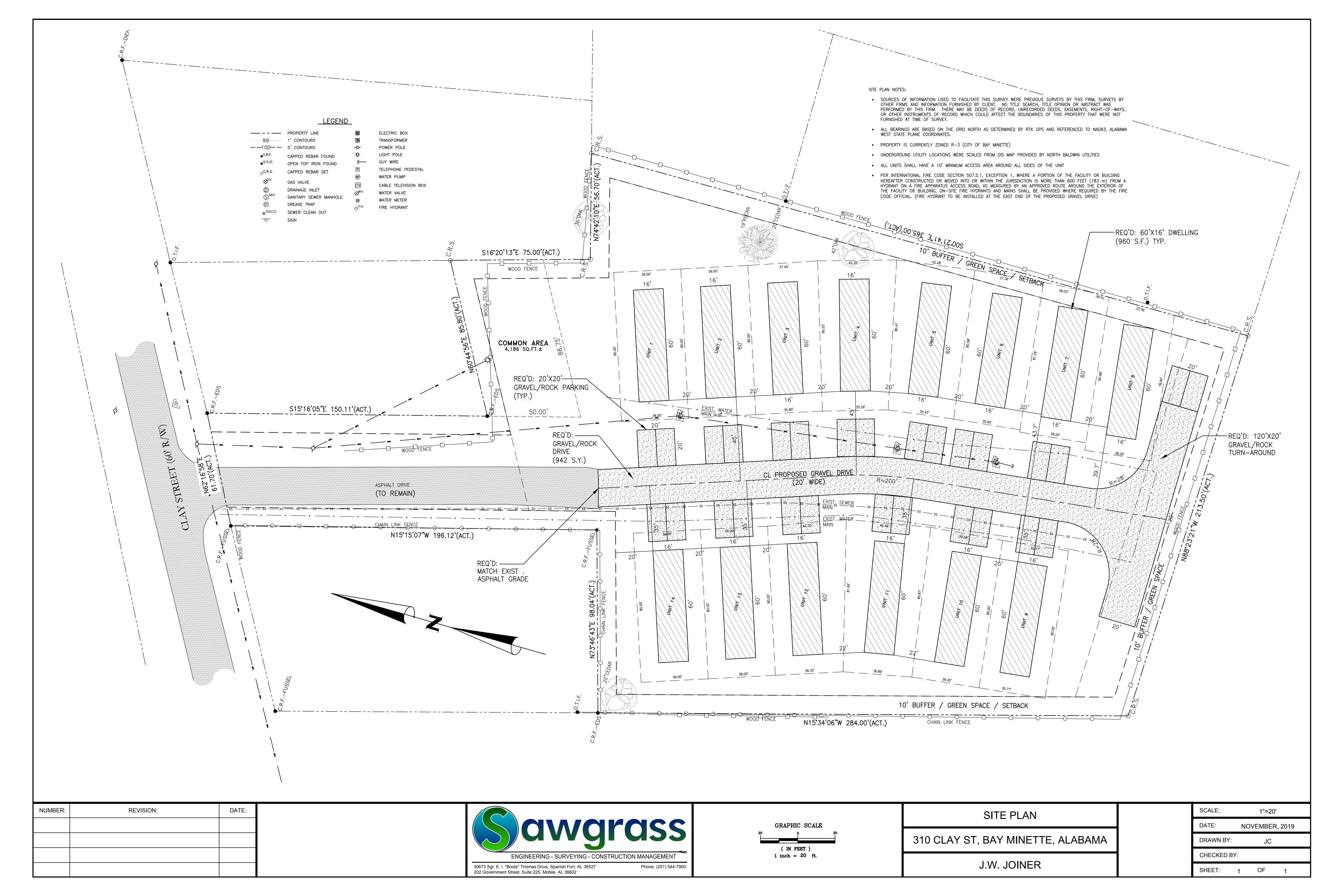
remodeled by tenants Phase 1 Lots 7,8,9

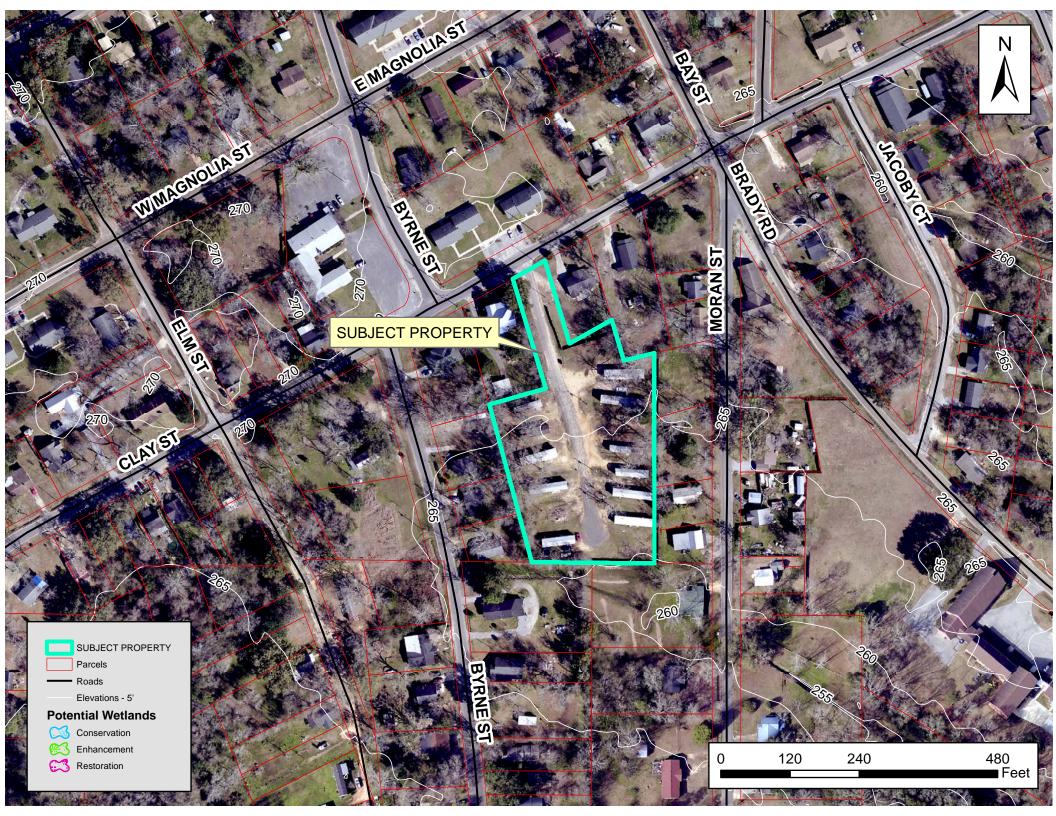
Phase 2 Lots 4,5,6 Phase 3 Lots 1,2,3 Phase 4 Lots 10,11,12

Phase 5 Lots 13,14

Hard Surface to be installed before

completion of Phase 1(only turnaround is incomplete)



































City of Bay Minette

Planning Commission

301 D'Olive Street · Bay Minette, Alabama 36507 · Phone (251) 580-1610

2020 Planning Commission Meeting and Application Schedule

Meeting Location: City Hall Conference Room

301 D'Olive Street Bay Minette, AL 36507

Meeting Time: 8:00 a.m.

Planning Commission Meeting Dates	Public Hearing Deadline Date	Administrative Subdivision Deadline Date
January 9, 2020	December 17, 2019	December 30, 2019
February 13, 2020	January 14, 2020	February 3, 2020
March 12, 2020	February 18, 2020	March 2, 2020
April 9, 2020	March 17, 2020	March 30, 2020
May 14, 2020	April 14, 2020	May 4, 2020
June 11, 2020	May 19, 2020	June 1, 2020
July 9, 2020	June 16, 2020	June 29, 2020
August 13, 2020	July 14, 2020	August 3, 2020
September 10, 2020	August 18, 2020	August 31, 2020
October 8, 2020	September 15, 2020	September 28, 2020
November 12, 2020	October 13, 2020	November 2, 2020
December 10, 2020	November 17, 2020	November 30, 2020