

City of Bay Minette

Planning Commission

AGENDA

April 14, 2022

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.) Approval of Minutes for the March 10, 2022 Regular Meeting
- 4.) Approval of Corrected Minutes for December 9, 2021 and February 10, 2022 Regular Meetings
- 5.) Old Business
 - a.) SE-22001 Taylor/Calloway Property Special Exception
 - b.) Zoning and Subdivision Regulation Discussion related to lot sizes, dwelling sizes and Exempt Subdivisions
- 6.) New Business
 - SD-22001 Forestry Equipment Subdivision – *Public Hearing*
 - Disclosure of Prior Communications and/or Conflict of Interest*
 - Request:* 2-lot Minor Subdivision of 562± acres for commercial use
 - Location:* The subject property is located on the East side of State Hwy 59, approximately 1.5 miles North of the intersection of State Hwy 59 and State Hwy 287
- 7.) Reports
 - a.) Mayor/Council
 - b.) Attorney
 - c.) Commissioner's Comments
 - d.) Planning Staff
- 8.) Adjournment

Bay Minette Planning Commission Regular Meeting Minutes

Minutes March 10, 2022

Monthly Meeting No. 2

The Bay Minette Planning Commission met in Regular Session on Thursday, March 10, 2022. The meeting was called to order at 8:00 a.m., by Vice Chairman Covington, 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 8:00 a.m. the following members were present:

Neal Covington, Vice-Chairman *Acting Chairman
Robert A. "Bob" Wills, Mayor
Rob Madison, Building Official
Earl Emmons, Commission Member
Scotty Langham, Commission Member
Ray Clark, Commission Member
William Taylor, Commission Member

Commission Members absent:
Todd Stewart, Chairman

Commission Members late:

Other persons in regular attendance:

Clair Dorough, City Planner
Jessica Peed, Planning Assistant
Tammy Smith, City Administrator
Scotty Lewis, City Attorney
Steven Stewart, Fire Department

GUESTS Steven Taylor
Gamaliel Hernandez

INVOCATION Commission Member Mayor Wills gave the invocation, followed by the pledge.

ITEM 3. Approval of the Minutes of the February 10, 2022 meeting. Commission Member Mayor Wills made a motion to approve the February minutes as written. The motion was seconded by Commission Member Langham and was unanimously carried.

ITEM 4. Old Business
a.) RA-2201 Zoning Regulation Amendment

Mrs. Dorough states the new copy Table of Permitted Uses is located beside their Planning Commission packets. She states there was one change at the City Council Public Hearing that included a new use listing for "body art establishments" that was not previously considered at Planning Commission. Those uses will now be allowed in a B-2 or M-1 Zoning Designation with Special Exception approval, but are not

allowed as home occupations. She states after Mayor Wills signs the Ordinance, it will be recorded and posted for 5 days before the Amendment is effective.

- b.) Acting Chairman Covington states the Zoning and Subdivision Regulation Revision discussion will be shifted to the end of the agenda in order to complete the applications in New Business.

ITEM 5.

New Business:

- a.) ES-22003, Hernandez-Ramirez Property Exempt Subdivision
Disclosure of Prior Communications and/or Conflict of Interest
Request: Exempt Subdivision to divide one lot into four for single-family residential
Location: The subject property is located at 605 S White Ave

Mrs. Dorough introduces the request and reviews the Staff Report that is in the Planning Commission packet and includes the applicant meets the criteria requirements for an Exempt Subdivision. She states there is an existing dwelling on parcel A, and that it meets the setback requirements for that zoning designation. She also includes that applicant is in attendance if anyone had any questions. With no further questions or comments, Councilman Taylor makes a motion to authorize the Acting Chairman to sign the plat. Earl Emmons seconds and it is unanimously carried.

- b.) SE-22001 Taylor/Calloway Property Special Exception
Disclosure of Prior Communications and/or Conflict of Interest
Request: Special Exception request for automobile wrecking and salvage
Location: The subject property is located at 2513 US Hwy 31 South

Mrs. Dorough introduces the request and reviews the Staff Report that is in the Planning Commission packet. She states the same request was submitted September of 2021 for the same property by a different applicant. The only concern at that time was related to screening issues. The prior applicant withdrew the application due to unrelated contract issues. She discusses the surrounding area, properties, and the current structures already on the lot. She states there are no comments or issues from North Baldwin Utilities or the City Fire or Police Department. The property is located on a principal arterial road and the use fits within the future development. Mrs. Dorough states this is the last application that won't be required to have the structure enclosed behind a solid fence due to the Table of Permitted Uses revision at the previous City Council meeting. Mrs. Dorough suggests for the Planning Commission to make a motion to recommend to the Board of Adjustment that includes sufficient solid fencing for screening purposes. There is a brief discussion on options for screening including solid fences or chain link fences with Evergreen plants. The applicant, Mr. Taylor, states there is a business close by that has a chain link fence and appears in bad shape to which Mrs. Dorough states that business has been in place for a long duration; therefore, the Planning Commission is unable to correct any screening issues now for any prior businesses but will make every effort to require presentable screening requirements for future entities to avoid any unpresentable appearances. He states the cost for a complete privacy fence would be immense and discusses the various options regarding proper screening to separate the lots. There is a discussion on which part of the property would be required to be completely screened, to which Mrs. Dorough states that the Table of Uses states "enclosed" but at a minimum, the front and back screening would be required. Commission Member Clark inquired if this was to be used as a junk yard salvage to which Mr. Taylor stated it would only be used to purchase junk cars and will then process them out. He also states he can accommodate state troopers easier and intends to ask the City about getting on rotation. He then discusses car towing and retaining procedures, and the tow trucks that would be located outside of the fence, visible to the public, which included 2 flatbeds and a medium truck. There is a brief discussion on which motion to make regarding screening requirements. Legal Counsel, Scotty

Lewis, suggests that the Commission include a condition of approval that the applicant develop his own screening plan to be presented to the Board of Adjustment. He stated that the applicant coordinate with planning staff and develop a detailed screening plan in advance of the consideration by the BOA. After no further comments or questions, Commission Member Mayor Wills makes a motion to recommend approval to the Board of Adjustment with the requirement that a detailed screening plan be submitted. The motion was carried with Commission Member Taylor seconding. A majority of members voted in the affirmative, with Commission Member Emmons opposing and Commission Member Clark abstaining due to his membership on the Board of Adjustment.

Old Business

b.) Zoning and Subdivision Regulation Revisions related to lot sizes, dwelling sized and Exempt Subdivisions

Mrs. Dorough states this is a continuation of the discussion that began at the previous Planning Commission meeting. She states the Commission needs to pinpoint what the issue(s) are so the correct path can be taken to fix the problem(s). Commission Member Mayor Wills states he has an issue with properties being subdivided to construct small homes on properties that have surrounding large lots and homes, such as the property that received subdivision approval at the prior Planning Commission meeting. Acting Chair Covington asked if there were minimum house size requirements in place, to which Mrs. Dorough stated there not. Commission Member Mayor Wills asked if those minimums were in place, what would be typical. Mrs. Dorough states that there typically aren't minimum square footage requirements, usually those requirements contribute to things like increased housing costs, but what she has seen is usually around 1,000 square feet. After discussion on lot and house sizes, and the character of existing neighborhoods, Commission Member Clark proposed lot sizes of 100'x144' unless previously platted and minimum house size of 1800 square feet. He asked Legal Counsel if the Planning Commission had the authority to impose those restrictions, to which Counsel stated that even in some of the most highly regulated areas of the County in relation to zoning, he didn't believe those areas regulated minimum house sizes. The discussion led to whether the Building Code stated minimum dwelling sizes, and Commission Member and Building Official Rob Madison stated that the minimums are related to room sizes, not the entire dwelling.

Commission Member Mayor Wills left the meeting at 8:49am.

Commission Member Clark asked what regulated lot sizes and Acting Chair Covington pointed out that the Zoning Ordinance already had those requirements and Mrs. Dorough brought forward those requirements on the screen and stated those minimums have been in place for years. Legal Counsel stated that those dimensional requirements are well-recognized as something the Planning Commission has the authority to regulate. Specifically mentioning maximum height, not minimum height; setbacks; and lot coverage are well-recognized that the governmental body, in a zoning capacity, has the ability to regulate; but those requirements must still be reasonable. Commission Member Clark proposed increasing lot size minimums similar to those originally platted by Hand Land Co. Acting Chair Covington pointed out that those were 150-foot lots, which would take away the ability to subdivide any property in town and stated that there's not a single zoning designation in place now that requires that much property. Commission Member Clark stated that the lots were originally platted at 100'x144' and discussion led to clarification by Mrs. Dorough that the R-1 zoning district in place now is the closest lot size requirement to the proposal, with R-1 having a 100-foot lot width and 15,000 sq ft minimum lot size, but there are not many properties with that zoning designation.

There is a discussion on lots of record and the majority of lots may become nonconformities if the proposal was approved. Commission Member Clark brought up the considerations of adjacent property owners who may not care for the small lots or houses and Commission Member Scotty Langham asked if there had been any complaints received. Mrs. Dorough states she does not believe increasing the lot size will fix the issue and suggests Zoning Ordinances and Subdivision Regulations that include design standards and to stop allowing

these exempt subdivisions to flow through without developers meeting subdivision requirements. She proposed the possibility of removing the 3-lot or less classification from the Exempt Subdivision category, which would make those smaller divisions follow the Minor Subdivision process to require public hearings and minimum standards such as sidewalks and open space to make developers abide by the full design criteria. She stated the Planning Commission has the authority to make those changes and it would likely be the fastest and most effective route until a more comprehensive approach can be decided on. Acting Chair Covington brought up how family divisions would be affected if we changed the Exempt Subdivision categories, which led to further discussion on Exempt Subdivision requirements. Commission Member and Building Official Madison also mentioned that if an 1800 sq ft minimum house size was required, it would cut out approximately 70% of the house plans he has reviewed in his tenure. There is further discussion on the possibility of an overlay district, potential legal issues if the City were to try and enforce an excessive minimum dwelling size and if subdivision covenants are the appropriate method for those requirements.

ITEM 6. Reports:

- a.) Mayor/Council Report - None
- b.) Attorney – None
- c.) Commissioner – None
- d.) Planning Staff - Mrs. Dorough states the next Planning Commission meeting will be April 14, 2022 to which Commission Members Covington and Langham state they will not be able to attend.

ITEM 7. With no further business Acting Chairman Covington adjourned the meeting at 9:09 a.m.

DONE THIS THE 10th DAY OF MARCH 2022

Todd Stewart, Chairman

ATTEST:

Jessica Peed, Planning Coordinator

Bay Minette Planning Commission Regular Meeting Minutes

Minutes December 9, 2021

Monthly Meeting No. 12

The Bay Minette Planning Commission met in Regular Session on Thursday, December 9, 2021. The meeting was called to order at 8:03 a.m., by Chairman 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 8:03 a.m. the following members were present:

Todd Stewart, Chairman
Neal Covington, Vice-Chairman
Robert A. "Bob" Wills, Mayor
Rob Madison, Building Official
Earl Emmons, Commission Member
Scotty Langham, Commission Member
Ray Clark, Commission Member
Wynter Crook, Commission Member

Commission Members absent:
William Taylor, Commission Member

Commission Members late:

Other persons in regular attendance:

Clair Dorough, City Planner
Jessica Peed, Planning Assistant
Tammy Smith, City Administrator
Scotty Lewis, City Attorney
Steven Stewart, Fire Department
Kristina Pittman, Chamber of Commerce

GUESTS

Blaine Ballard
Ronald Ballard
Tammy Henry
Steven Boeschen
Harold Benson
Bill Payne

- INVOCATION** Mayor Wills gave the invocation, followed by the pledge.
- ITEM 3.** Approval of the Minutes of the November 10, 2021 meeting. Commission Member “Mayor” Wills made a motion to approve the November minutes as written. The motion was seconded by Commission Member Clark and was unanimously carried.
- ITEM 4.** Old Business - NONE
- ITEM 5.** New Business:
- a.) SD-2102- Boeschen Minor Subdivision- Public Hearing
 Disclosure of Prior Communications and/or Conflict of Interest
 Request: Minor Subdivision application for a 4-lot Subdivision
 Location: The subject property is located on Old Brady Road

Chairman Stewart inquires if there were any prior communications or conflicts of interest to which there were none. Mrs. Dorough introduces the request and includes that this property was recently approved for a Family Division that occurred at the November 10, 2021 Planning Commission meeting. The current request is to subdivide the last parcel into a 4-lot Minor Subdivision. Chairman Stewart inquires about the fire hydrant and 2 existing mobile homes, as per the aerial view, to which Steven Stewart states a fire hydrant will be required but can be split evenly allowing 600 ft on each side to cover the appropriate areas. Mrs. Dorough also states the one mobile home has already been removed from the property and the other will be removed by the end of March. Commission Member Emmons inquired about the wetlands area, to which there was a brief discussion with Chairman Stewart stating there is a pond that runs dry. Mrs. Dorough also includes it is not jurisdictional wetlands. With no further questions, Chairman Stewart opens the Public Hearing at 8:10am for the Minor Subdivision request located at Old Brady Road. William Payne inquires on the setbacks to which Mrs. Dorough states the setback regulations for both primary and accessory structures for a R-2, Medium Density Single Family Residential zoning designation. Blaine Ballard inquires if the lots will each have a house reside on them, to which Chairman Stewart states the purpose of the meeting being held today is only regarding the division, not including houses, but the zoning and intent of the division is for single family dwellings. Mr. Ballard inquires if the land will be sold to individuals, not manufacturing entities to which Chairman Stewart states that is correct and the zoning designation is for residential only. With no further questions, Chairman Stewart closes the Public Hearing at 8:16am. With no questions from the Commission, Commission Member Covington made a motion to approve the 4-lot Minor Subdivision. Commission Member Langham seconded, and it was unanimously carried.

- b.) Z-2101 The Landing Rezoning Request – Public Hearing
Disclosure of Prior Communications and/or Conflict of Interest
Request: Rezoning request from R-2 to B-2 to allow for the expansion of the existing facility and construction of a 4-unit apartment
Location: The subject property is located at 2411 S US Hwy 31

- c.) SE-2105 The Landing Special Exception Request
Disclosure of Prior Communications and/or Conflict of Interest
Request: Special Exception approval for a lodging/boarding/rooming house to allow for the expansion of the existing facility and construction of a 4-unit apartment
Location: The subject property is located at 2411 S US Hwy 31

Chairman Stewart inquires if there were any prior communications or conflicts of interest to which there were none. Mrs. Dorrough state since both cases “B” and “C” are the same property and have very similar reviewing criteria, that she will be explaining both cases simultaneously, but each case will require its own motion. She states the property owner is requesting a rezoning from an R-2 to B-2 zoning designation as it is currently being used as a sober living facility with a legal nonconforming status, as those types of facilities are only allowed with Special Exception in a B-2 zoning designation. She gives a brief history of the previous construction and use requests for this facility including the Fire Department thoroughly reviewed the use in 2019 and since no Planning Commission action was required, it maintained its legal nonconformity status. The applicant is currently requesting to expand the existing facility and construct a 4-unit apartment which would mean they would lose their legal-nonconformity status, requiring a re-zoning to the correct zoning designation and Special Exception request to allow expansion and construction of this type of facility in a B-2, General Business District. Mrs. Dorrough reviews the standards for both Rezoning and Special Exceptions located in the Staff Report, from numbers 1 through 9 as they are the same criteria. She states a letter from ALDOT will be required for accessing purposes, for review from the Planning Commission but not for management. She also includes that North Baldwin Utilities and the Fire Department will be involved in Site Plan review for the construction and expansion of the 4-unit apartment, but they currently had no comments for these requests. She states there has been one adjacent property owner that submitted a complaint regarding the expansion, stating the police visit the property often and she does not wish for the facility to expand. The Police Department stated they had no issues with the requests, included a call history for the past year of four calls and added that the facility recently received an award from the Drug Court. Mrs. Dorrough explains that Special Exception request is contingent upon a successful rezoning, and if not approved it will remain with its legal nonconformity status with no ability to expand and includes the applicant would like to get into a compliant state. Mrs. Dorrough includes a previous applicant was recently denied for a similar request due to the location of the facility and the intensity of the use within the surrounding area. She states the current request is

more complaint and compatible with the Comprehensive Plan, and Planning Staff recommends approval for both the Re-zoning and Special Exception request.

Rezoning Request- Public Hearing

With no further questions, comments, or discussion, Chairman Stewart opens the Public Hearing at 8:33 for the Rezoning request to go from a R-2 to B-2 zoning designation. With no comments or questions, Chairman Stewart closes the Public Hearing at 8:34am. Commission Member Clark inquired if the resident who submitted a complaint was a neighbor who called or visited City Hall, as the comment was hand-written but with no signature or date. Mrs. Dorrough stated she visited City Hall but did not wish to write anything down, so Mrs. Dorrough transcribed for her, but in the future will have the applicant sign and date for record keeping purposes. Mrs. Dorrough also stated that the resident was an adjacent property owner who received the Public Hearing Notice. With no further questions, Commission Member Covington made a motion to recommend approval to the City Council for the Rezoning request from a R-2, Medium Density Single Family Residential zoning designation to B-2, General Business District zoning designation. Commission Member Emmons seconded and it was unanimously carried with the exception of Ray Clark abstaining due to his membership with the Board of Adjustment who will be reviewing the Special Exception request at the upcoming meeting.

Special Exception Motion

Mrs. Dorrough states the Special Exception will not be allowed without a successful Rezoning and includes that City Council will have the first Public Hearing at the December 20, 2021 meeting and will conduct the second reading at the meeting on January 3, 2022. The Board of Adjustment will meet on January 6, 2022. There is a brief discussion on buffering, landscaping, and the fence that separates the property from the adjacent properties. With no further questions, Commission Member “Mayor” Wills recommends approval to the Board of Adjustment, with the condition of a successful Rezoning with the City Council. Commission Member Covington seconds the motion and it is unanimously carried, with the exception of Ray Clark abstaining due to his membership with the Board of Adjustment.

ITEM 6.

Reports:

a.) Mayor/Council Report

- Mayor Wills and Tammy Smith give a brief update regarding the Justice Center, including the time parameters for funding, Site Plan finalization, and the vacation of an alleyway. Mayor Wills inquired to Kristina Pittman about Christmas Fest due to

the high possibility of rain, to which she replied the event will continue as scheduled. Tammy Smith states the new garbage cans will be deployed starting on January 10, 2022, and that a flyer and newsletter has been issued to all Bay Minette residents. She gives the basic detailed information of the new cans including the funding for the cans were through the ARPA funds, and the hope for these cans is to help eliminate litter and less sanitary conditions for the Public Works Department. Commission Member Covington inquired on the status of the old hotel to which there was a brief discussion on the recent City Council meeting that determined an extension will offered until January 18, 2022, if/when the owner can provide a certificate that states the building is structurally sound.

b.) Attorney – None

c.) Commissioner – None

d.) Planning Staff

- Mrs. Dorough states the next Planning Commission meeting will be on January 13, 2021. Commission Member Emmons inquires on a few Code Enforcement cases that include the previously denied Site Plan application from James Thomas regarding an auto-repair shop and previously approved Site Plan applicant, Travis McCryndle 225 Automotive, that has been completing auto repair work in the front parking lot causing oil discharge that leaks into the gutters and streets. Mrs. Dorough states she is giving James Thomas adequate time to allow the owners of the property to review the Notice of Action letter that was issued to him but has noticed a small amount of cleanup on the property already. She also states the case for 225 Automotive has been reported to the County EMA, which reports such cases to ADEM so they are now aware of the issues. Commission Member Clark inquires on the Church's Chicken building to which there is a brief discussion on the difficulties reaching the appropriate person(s) to handle the unsightly issues. Mayor Wills concluded the discussion by stating that he feels it would be appropriate for Mr. Lewis to write a letter expressing the City's concerns before a lien is issued.

ITEM 7. With no further business Chairman Stewart adjourned the meeting at 9:00 a.m.

DONE THIS THE 9th DAY OF DECEMBER 2021

Todd Stewart, Chairman

ATTEST:

Jessica Peed, Planning Coordinator

Bay Minette Planning Commission Regular Meeting Minutes

Minutes February 10, 2022

Monthly Meeting No. 1

The Bay Minette Planning Commission met in Regular Session on Thursday, February 10, 2022. The meeting was called to order at 8:00 a.m., by Chairman 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 8:00 a.m. the following members were present:

Todd Stewart, Chairman
Neal Covington, Vice-Chairman
Robert A. "Bob" Wills, Mayor
Rob Madison, Building Official
Earl Emmons, Commission Member
Scotty Langham, Commission Member
Ray Clark, Commission Member
William Taylor, Commission Member

Commission Members absent:

Wynter Crook, Commission Member

Commission Members late:

Other persons in regular attendance:

Clair Dorough, City Planner
Jessica Peed, Planning Assistant
Tammy Smith, City Administrator
Scotty Lewis, City Attorney
Steven Stewart, Fire Department
Kristina Pittman, Chamber of Commerce

GUESTS

John Byrd
Krista Ladenwich
Ben White
Joseph Rhodes
James Tindle
Ryan Linam
Barbara Helton

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

ITEM 3. Approval of the Minutes of the December 9, 2021 meeting, as January's meeting was cancelled due to lack of cases. Commission Member "Mayor" Wills made a motion to approve the December minutes as written. The motion was seconded by Commission Member Langham and was unanimously carried.

ITEM 4. Old Business - NONE

ITEM 5. New Business:

- a.) Z-22001- Dempsey Property Rezoning- *Public Hearing*
Disclosure of Prior Communications and/or Conflict of Interest
Request: Rezoning from B-1 to B-2 for storage buildings
Location: The subject property is located at the northwest corner of Jaycee Road and Hwy 59

Chairman Stewart inquires if there were any prior communications or conflicts of interest to which he states he was approached regarding the process and directed them to the Planning Commission administrative staff. Mrs. Dorrough introduces the request, reading the staff report information located in the Planning Commission packet including the traffic induced request difference between B-1 and B-2 zoning, the Comprehensive Plan's Agricultural Land Designation at that location creating a natural progression towards industrial development, and a required ALDOT concurrence letter regarding acceptable traffic plans if accessing from Hwy 59. Mayor Wills inquires about if there are drainage issues and the timing and quantity of storage units to which Mr. White states there is a natural draw on the site and one storage unit will be constructed at a time. There is a brief discussion about the architectural standards, which direction the units will front showing façade, and the surrounding businesses to which Mrs. Dorrough states the façade will be determined at Site Plan approval and states the surrounding properties, hotel zoning designations and the adjoining, adjacent property owners. Chairman Stewart opens the Public Hearing at 8:21am for the Rezoning request to go from a B-1 to B-2 zoning designation for the purpose of storage buildings. With no public comment, Chairman Stewart closes the Public Hearing at 8:21am. Commission Member Covington makes a motion to recommend approval to the City Council for a successful rezoning. Commission Member Emmons seconds, and it is unanimously carried.

- b.) ES-22001 Kelson Property Exempt Subdivision
Disclosure of Prior Communications and/or Conflict of Interest
Request: Exempt Subdivision to divide one lot into two for single-family residential
Location: The subject property is located at 1210 Lower St

Chairman Stewart inquires if there were any prior communications or conflicts of interest to which he there were none. Mrs. Dorrough introduces the request, stating the applicant is in the process of procuring the current documents to clarify ownership but as of today the application is incomplete and would like to table the request. Commission Member Clark makes a motion to table the Exempt Subdivision request. Commission Member Emmons seconds and it is unanimously carried.

- c.) ES- 22002 Bayou Brothers Development Property Exempt Subdivision
Disclosure of Prior Communications and/or Conflict of Interest
Request: Exempt Subdivision to divide one lot into two for single-family residential
Location: The subject property is located at the southwest corner of W 7th St and N Dobson Ave.

Chairman Stewart inquires if there were any prior communications or conflicts of interest to which there were none. Mrs. Dorough introduces the request and reviews the Staff Report that is located in the Planning Commission packet. Commission Member Clark inquires if adjacent property owners are notified when an Exempt Subdivision Request is submitted to which Mrs. Dorough states it is not required for Exempt Subdivisions per the regulations. There is a brief discussion on surrounding lot sizes, proposed residential construction sizes, and the different regulation criteria for Minor, Major, Exempt and Administrative Subdivisions to which Mrs. Dorough states the Planning Commission has the authority to change the regulations but the submitted request meets the current Exempt Subdivision Regulations. With no further discussion Councilman Taylor made a motion to authorize the Chairman to sign the plat as presented. Commission Member Langham seconded and it was unanimously carried.

- d.) SP-22001 Snappy Oil and Tire Site Plan
Disclosure of Prior Communications and/or Conflict of Interest
Request: Site Plan approval for automobile service station
Location: The subject property is located at 1241 S US Hwy 31

Chairman Stewart inquires if there were any prior communications or conflicts of interest to which there were none. Mrs. Dorough introduces the request and reviews the Staff Report that is located in the Planning Commission packet. She also states that per the Building Official, any renovations will require plans. Applicant, Mr. Linam, discusses his current business operating in Atmore, AL and states the Bay Minette location will have 4-5 alignment/lift bays, new signage and will erect a fence between the office and the adjoining property. Chairman Stewart states that previous owners have not upheld the property to a good, presentable standard and forewarns Mr. Linam that he will be scrutinized. Mr. Linam states his proposal is to only repair tires and perform oil changes, but if a vehicle has to stay overnight that it will be concealed in the bays. There is a brief discussion on tire pickup, exposed tanks, architectural details and landscaping to which Mr. Linam states the tires are picked up once a week; an environmental services company will come and take the used oil; and discusses the proposed plan for gates and fences. There is a discussion on Site Plan regulations, and Mrs. Dorough states Site Plan approval is intended for new construction and since this request is an established structure with no plans to renovate with the exception of adding a pit, erecting a fence and landscaping, the requirement for approval is based on use, not construction. Mrs. Dorough also includes the applicant will be required to submit a Land Use, including plans for parking and screening. With no further comments or questions, Commission Member Clark makes a motion to approve the Site Plan request for Snappy Oil and Tire with the conditions of landscaping for Dickman Road, no outdoor storage except in approved screening areas, and removal of the external vacuum kiosks. Councilman Taylor seconds and it is unanimously carried.

- e.) RA-2201 – Zoning Regulation Amendment – *Public Hearing*
Request: Proposed Amendments to Section 8.10, Table of Permitted Uses

Mr. Dorough states she recently received a Site Plan request for an entertainment venue for a M-2 zoning designation but the Table of Permitted Uses does not allow those types of uses in that zoning designation. She also states she does not request to change the Table for a particular person or request, but feels this revision could be beneficial to the community. Mrs. Dorough reviews the proposed changes that are located in the Planning Commission packet that result in discussions on various received requests and uses in zoning designations, including accessory structures, minimum lot requirements, tiny homes, accessory dwellings, screening requirements, entertainment venues, variety stores and the declared need to revisit the approval processes for certain requests that will be discussed at the next Planning Commission meeting. Chairman Stewart opened the Public Hearing for the proposed Zoning Regulation Amendment at 9:44am. With no comments or questions, Chairman Stewart closed the Public Hearing at 9:44am. Commission Member Covington made a motion to approve the proposed amendments to the Zoning Regulations with the revisions related to Accessory Structures in commercial districts and Planning Commission approval for Sexually Oriented Establishments in the B-2 and M-1 Districts. Commission Member Clark seconded and it was unanimously carried.

ITEM 6. Reports:

a.) Mayor/Council Report

- Mayor Wills states the Justice Center's plans are moving forward and the bond issue was completed. He also states approximately 2,500 garbage carts have been deployed and the Garbage Collection Ordinance currently being revised. Commission Member Clark posed the question to the Commission about if the City wanted to be known as a place of small houses on tiny lots, with both Chairman Stewart and Commission Covington agreeing the next Planning Commission meeting needed to include discussion on potential changes to increase value in areas by way of adjusting lot dimensions and zoning/use requirements.

b.) Attorney – None

c.) Commissioner – None

d.) Planning Staff - None

ITEM 7. With no further business Chairman Stewart adjourned the meeting at 9:52 a.m.

DONE THIS THE 10th DAY OF FEBRUARY 2022

Todd Stewart, Chairman

ATTEST:

Jessica Peed, Planning Coordinator



City of Bay Minette

Planning & Development Services

Preliminary/Final Plat – Minor Subdivision Staff Report
Case No. SD-22001 – Forestry Equipment Subdivision
Planning and Zoning Commission Public Hearing
April 14, 2022

I. PUBLIC HEARINGS:

Planning Commission: April 14, 2022

II. IDENTIFICATION AND LOCATION INFORMATION

Jurisdiction: PIN 317437: City Limits
PIN 63804: County Jurisdiction

Zoning Designation: PIN 317437: R-A Rural Residential & Agricultural Zone
PIN 63804: Unzoned

Location of Property: The subject property is located on the East side of State Hwy 59, approximately 1.5 miles North of the intersection of State Hwy 59 and State Hwy 287

Parcel Number(s): 05-18-09-29-0-000-001.002
05-18-09-29-0-000-001.000

III. SUBDIVISION PROPOSAL:

Proposed number of Lots: 2

Linear Feet of Streets: N/A – all lots will front State Hwy 59

Total Acreage: 562± acres

Smallest Site Size: 6.97± acres

Largest Site Size: 555.03± acres

Owner/Developer: Longleaf Land Company Inc.
Thomas A. McMillan, Jr as President
P.O. Box 758
Bay Minette, AL 36507

Surveyor: David Lowery Surveying LLC
55284 Martin Lane
Stockton, AL 36579

Request: The applicant is requesting Preliminary/Final Plat Approval for 562± acres to allow for a 2-lot Minor Subdivision.

IV. PUBLIC UTILITIES AND SITE CONSIDERATIONS

Public Utilities Services: Water: North Baldwin Utilities
 Sewer: Not Available at this location
 Telephone: AT&T
 Electricity: Baldwin EMC

Transportation: The proposed lots will front on State Hwy 59, a paved and state-maintained roadway. There are existing access points for the property, but the applicant/owner will be required to obtain approval from ALDOT if additional access points are requested in the future.

V. STAFF COMMENTS:

This request involves property within City Limits and property within the subdivision jurisdiction of the Baldwin County Commission. This plat is being reviewed by the City pursuant to paragraph 5 of the agreement between the City and Baldwin County Commission concerning the exercise of subdivision regulations within the planning jurisdiction of the municipal planning commission. There is no new infrastructure proposed. Due to the property size, location and use, there are no requirements for additional infrastructure or other improvements required by the Subdivision Regulations. This division request is essentially a common lot line move with no new lots being created, however, the property division is for commercial use of the existing structures which makes it ineligible for the Exempt Subdivision process. North Baldwin Utilities, the Bay Minette Police and Fire Departments have all stated they have no issues with this request.

VI. RECOMMENDATIONS

Staff recommends that the Preliminary/Final Plat –Minor Subdivision for Case No. SD-22001, Forestry Equipment Subdivision be APPROVED.

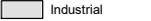
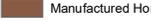
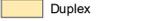
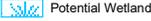
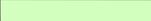
VII. PLANNING COMMISSION ACTION

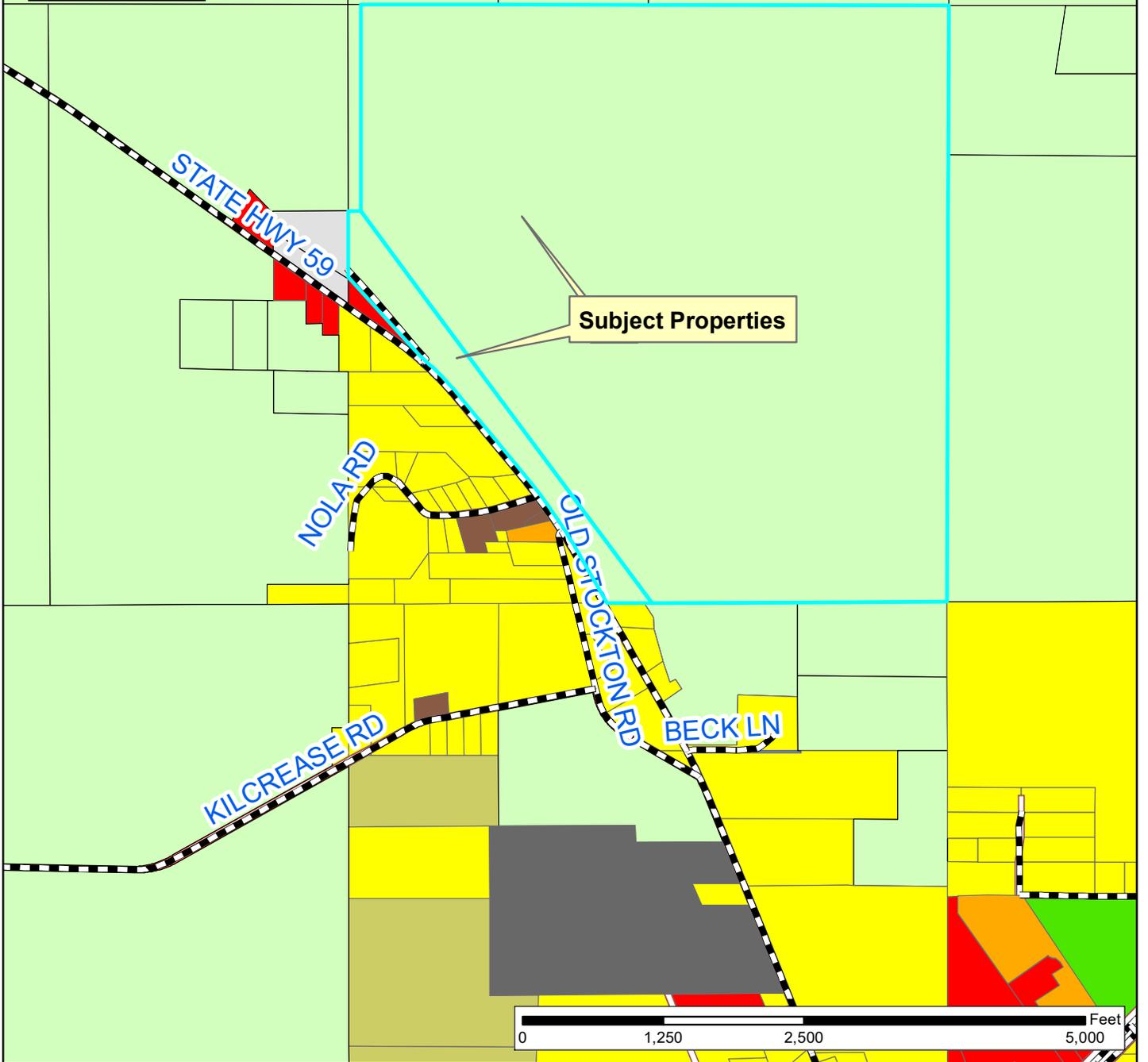
The Planning Commission has the option to:

- Approve the Plat as submitted
- Approve the Plat with minor modifications, stating the nature of the required modifications
- Deny the Plat, stating the reasons for denial and referencing the specific section(s) with which the plat does not comply

SD-22001, Longleaf Land Company Property Minor Subdivision Future Land Use Map



-  Road Centerlines
-  Agriculture/Timber
-  Commercial
-  Government
-  Industrial
-  Institutional
-  Manufactured Home
-  Mixed Use
-  Parks & Recreation
-  Single Family
-  Duplex
-  Multi-Family
-  Public/Semi-Public
-  Undeveloped
-  Utilities
-  BC Revenue Parcels
-  Potential Wetlands

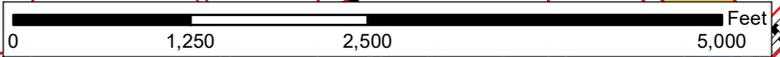
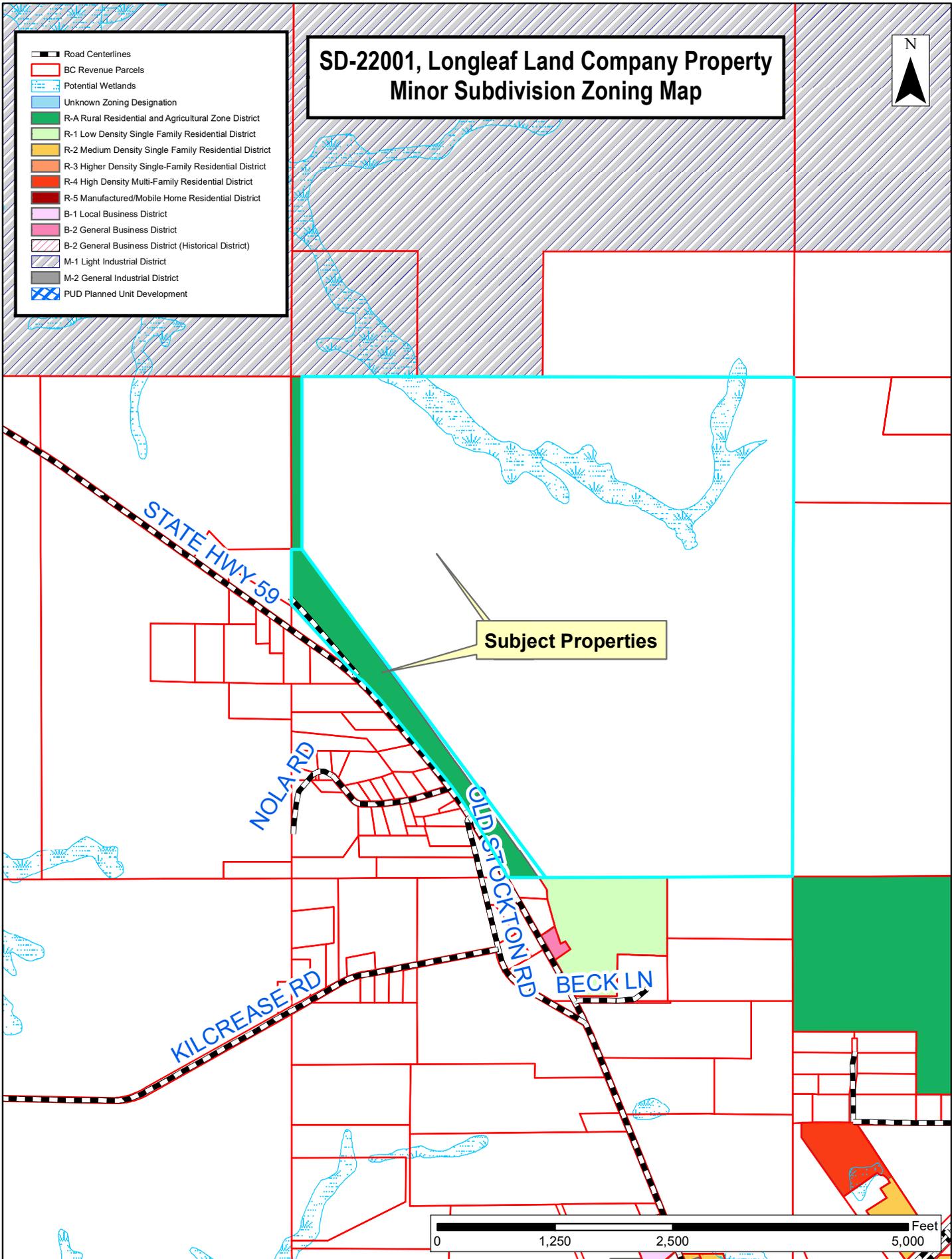


Subject Properties

SD-22001, Longleaf Land Company Property Minor Subdivision Zoning Map

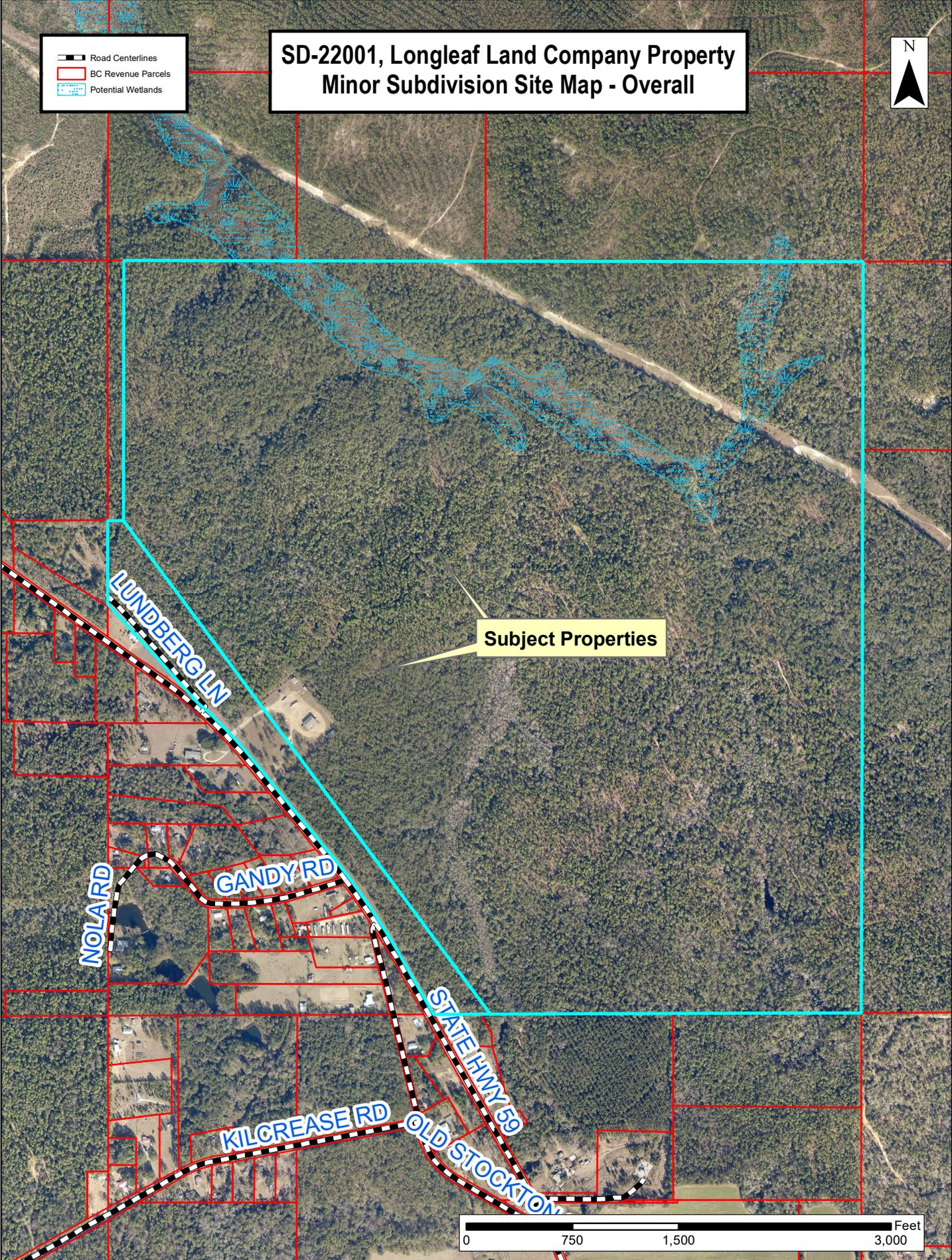


- Road Centerlines
- BC Revenue Parcels
- Potential Wetlands
- Unknown Zoning Designation
- R-A Rural Residential and Agricultural Zone District
- R-1 Low Density Single Family Residential District
- R-2 Medium Density Single Family Residential District
- R-3 Higher Density Single-Family Residential District
- R-4 High Density Multi-Family Residential District
- R-5 Manufactured/Mobile Home Residential District
- B-1 Local Business District
- B-2 General Business District
- B-2 General Business District (Historical District)
- M-1 Light Industrial District
- M-2 General Industrial District
- PUD Planned Unit Development

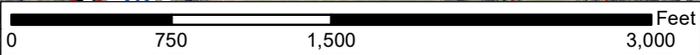


-  Road Centerlines
-  BC Revenue Parcels
-  Potential Wetlands

SD-22001, Longleaf Land Company Property Minor Subdivision Site Map - Overall

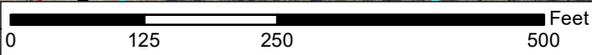


Subject Properties



-  Road Centerlines
-  BC Revenue Parcels
-  Potential Wetlands

SD-22001, Longleaf Land Company Property Minor Subdivision Site Map





City of Bay Minette

Preliminary/Final Plat - Minor Subdivision

301 D'Olive Street · Bay Minette, Alabama 36507

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

Case No.:	22001
Fee Total: \$	940
Date Paid:	2/22/22
<input type="checkbox"/> Cash <input type="checkbox"/> Credit Card	
<input checked="" type="checkbox"/> Check- No.:	54603

Are you the owner? Yes No *If not, you will need to complete an Agent Authorization Form signed by the property owner

Name of Applicant: THOMAS A. McMillan, Jr. Date: 2/21/22

Mailing Address: P.O. Box 758

City/State/ Zip Code: Bay Minette, AL 36507

Email: archie@baldwinpole.com Phone No.: 251-937-2141

Site Information

Subdivision Type: Residential Commercial Mixed-Use

Subdivision Name: _____

Location of Subdivision: EAST side of State Hwy 59, North of Bay Minette

Parcel ID/PPIN(s): PPIN # 317437 AND # 63804

Total Acreage: 6.97 ac No. of Lots: 2 No. of Certified Letters: 17

Electrical: BALDWIN EMC Telephone: AT&T

Water: NBU Sewer: N/A

Engineer & Surveyor Information

Engineer Name: _____ License #: _____

Company Name: _____ Business License #: _____

Address: _____

Email: _____ Phone No.: _____

Surveyor Name: DAVID LOWERY License #: AL Lic No. 26623

Company Name: DAVID LOWERY SURVEYING LLC Business License #: _____

Address: 55284 MARTIN LN., STOCKTON, AL 36579

Email: dlsurrey25@hotmail.com Phone No.: 251-937-2757

I/we certify that the information state on and submitted with this application is true and correct.

Signature: Th A. McMillan Date: 2/21/22

FORESTRY EQUIPMENT SUBDIVISION

- NOTES**
- All bearings shown hereon are relative to GRID NORTH. GRID NORTH was obtained by G.P.S. observations.
 - Corner monuments shown as set iron pins are 5/8" reinforcing bars with a durable plastic cap stamped "56623".
 - Only Select Fixed Interior Improvements shown hereon.
 - This survey was prepared for the client shown and is not to be used for any other purpose without prior approval from the surveyor.
 - No instruments of record reflecting easements, right of ways, and/or ownership were furnished the surveyor, except as shown or noted.
 - No underground installations or improvements have been located, except as shown or noted.
 - This survey was prepared without the benefit of an abstract of title or a title search unless stated hereon. No liability is assumed by the undersigned for loss relating to any matter that might be discovered by an abstract, title search, or legal judgment rendered on the property.
 - Liability of the undersigned for the survey shown shall not exceed the amount paid for the survey.

DAVID LOWERY SURVEYING, L.L.C.

PRELIMINARY AND FINAL PLAT PREPARED FOR
LONGLEAF LAND COMPANY INC BALDWIN CO., AL.

DWG. NO. SURVEY DATE SCALE
 22-02-016 JAN 2022 1"=60'

- LEGEND AND SYMBOLS**
- (*) RECORD BEARING/DISTANCE
 - OVERHEAD ELECTRIC
 - SET IRON PIN
 - FOUND IRON PIN
 - △ MONUMENT NOT SET/FOUND
 - P.O.C. POINT OF COMMENCEMENT
 - P.O.B. POINT OF BEGINNING
 - NOT TO SCALE
 - FENCE
 - FENCE CORNER POST
 - CONCRETE MONUMENT

CERTIFICATION OF OWNERSHIP AND DEDICATION

STATE OF ALABAMA
 COUNTY OF BALDWIN

I, _____, PRESIDENT OF LONGLEAF LAND COMPANY INC., HAVE CAUSED THE LAND EMBRACED IN THE WITHIN PLAT TO BE SURVEYED, LAID OUT, AND PLATTED TO BE KNOWN AS FORESTRY EQUIPMENT SUBDIVISION, A PART OF SECTION 29 T-1-S, R-3-E, BALDWIN COUNTY, AL. AND THAT THE STREETS SHOWN HEREON ARE HEREBY NOT DEDICATED TO THE USE OF THE PUBLIC.

DATED THIS _____ DAY OF _____, 2022

LONGLEAF LAND COMPANY INC. PRESIDENT

ACKNOWLEDGMENT FOR L.L.C.

STATE OF ALABAMA
 COUNTY OF BALDWIN

I, _____, A NOTARY PUBLIC, IN AND FOR SAID COUNTY IN SAID STATE, HEREBY CERTIFY THAT _____ WHOSE NAME AS PRESIDENT OF LONGLEAF LAND COMPANY, IS SIGNED TO THE FOREGOING INSTRUMENT AND WHO IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DAY THAT, BEING INFORMED OF THE CONTENTS OF THE INSTRUMENT, HE OR SHE, AS SUCH OFFICER AND WITH FULL AUTHORITY, EXECUTED THE SAME VOLUNTARILY FOR AND AS THE ACT OF SAID LIMITED LIABILITY COMPANY.

GIVEN UNDER MY HAND AND SEAL THIS _____ DAY OF _____, 2022.

NOTARY PUBLIC, BALDWIN COUNTY, ALABAMA
 MY COMMISSION EXPIRES _____

CERTIFICATE OF APPROVAL BY THE CITY OF BAY MINETTE PLANNING COMMISSION CHAIRMAN

THE UNDERSIGNED, AS CHAIRMAN OF THE BAY MINETTE PLANNING COMMISSION, HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, AL.

THIS THE _____ DAY OF _____, 2022.

PLANNING COMMISSION CHAIRMAN

CERTIFICATE OF APPROVAL BY E-9 1 | GIS/ADDRESSING

THE UNDERSIGNED, AS AUTHORIZED BY BALDWIN COUNTY E-9 1 | BOARD, HEREBY APPROVES THE ROAD NAMES AS DEPICTED ON THE MAP WITHIN PLAT AND HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS _____ DAY OF _____, 2022.

AUTHORIZED REPRESENTATIVE

This plat is being reviewed by the City of Bay Minette pursuant to paragraph 5 of the agreement between the City of Bay Minette and Baldwin County Commission concerning the exercise of subdivision regulations with the planning jurisdiction of the municipal planning commission.

All lots shall comply with applicable utility and fire protection requirements, including without limitation, the Zoning Ordinance of the City of Bay Minette, the Subdivision Regulations of the City of Bay Minette, and the 2018 International Residential Code and 2021 International Fire Code, as adopted by the City of Bay Minette. No lot shall be eligible for a certificate of occupancy until all utility and fire protection requirements have been satisfied in connection therewith.

SURVEYOR'S CERTIFICATE AND DESCRIPTION OF PROPERTY

STATE OF ALABAMA
 COUNTY OF BALDWIN

I, David Lowery, a licensed Surveyor of Baldwin County, Alabama, hereby certify that I have surveyed the property of LONGLEAF LAND CO., owner, situated in Baldwin County, Alabama and described as follows:

DESCRIPTION OF SURVEY
 Commencing at the NW CORNER OF SECTION 29 T-1-S R-3-E BALDWIN COUNTY, AL.; thence S69°55'15"E, a distance of 864 feet more or less, thence South, a distance of 3,322 feet more or less to a SET 5/8" CAPPED REBAR on the Northeastery R-O-W of State Hwy 59 to the POINT OF BEGINNING; thence N50°09'30"E, leaving said R-O-W a distance of 609.28 feet to a SET 5/8" CAPPED REBAR; thence S33°33'21"E, a distance of 503.68 feet to a SET 5/8" CAPPED REBAR; thence S50°04'50"W, a distance of 601.47 feet to a SET 5/8" CAPPED REBAR on said R-O-W; thence N39°31'14"W, along said R-O-W a distance of 295.46 feet to a SET 5/8" CAPPED REBAR; thence Northwestery along said R-O-W along a R-O-W curve to the left, having a Radius of 2,904.79 feet, a chord bearing of N41°44'11"W, a chord distance of 209.14 feet, an arc length of 209.19 feet to the POINT OF BEGINNING, said parcel containing 6.97 acres, more or less and subject to the following easement:
 An easement 60 feet in width for ingress and egress being more particularly described as follows:
 Commencing at the NW CORNER OF SECTION 29 T-1-S R-3-E BALDWIN COUNTY, AL.; thence S69°55'15"E, a distance of 864 feet more or less to a Point; thence South, a distance of 3,322 feet more or less to a SET 5/8" CAPPED REBAR on the Northeastery R-O-W of State Hwy 59 to the POINT OF BEGINNING; thence N50°09'30"E, leaving said R-O-W a distance of 202.97 feet to a POINT; thence S33°33'21"E, a distance of 60.00 feet to a POINT; thence S50°04'50"W, a distance of 199.44 feet to a POINT on said R-O-W; thence Northwestery along said R-O-W along a R-O-W curve to the left, having a Radius of 2,904.79 feet, a chord bearing of N43°12'25"W, a chord distance of 60.10 feet, an arc length of 60.10 feet to the POINT OF BEGINNING.

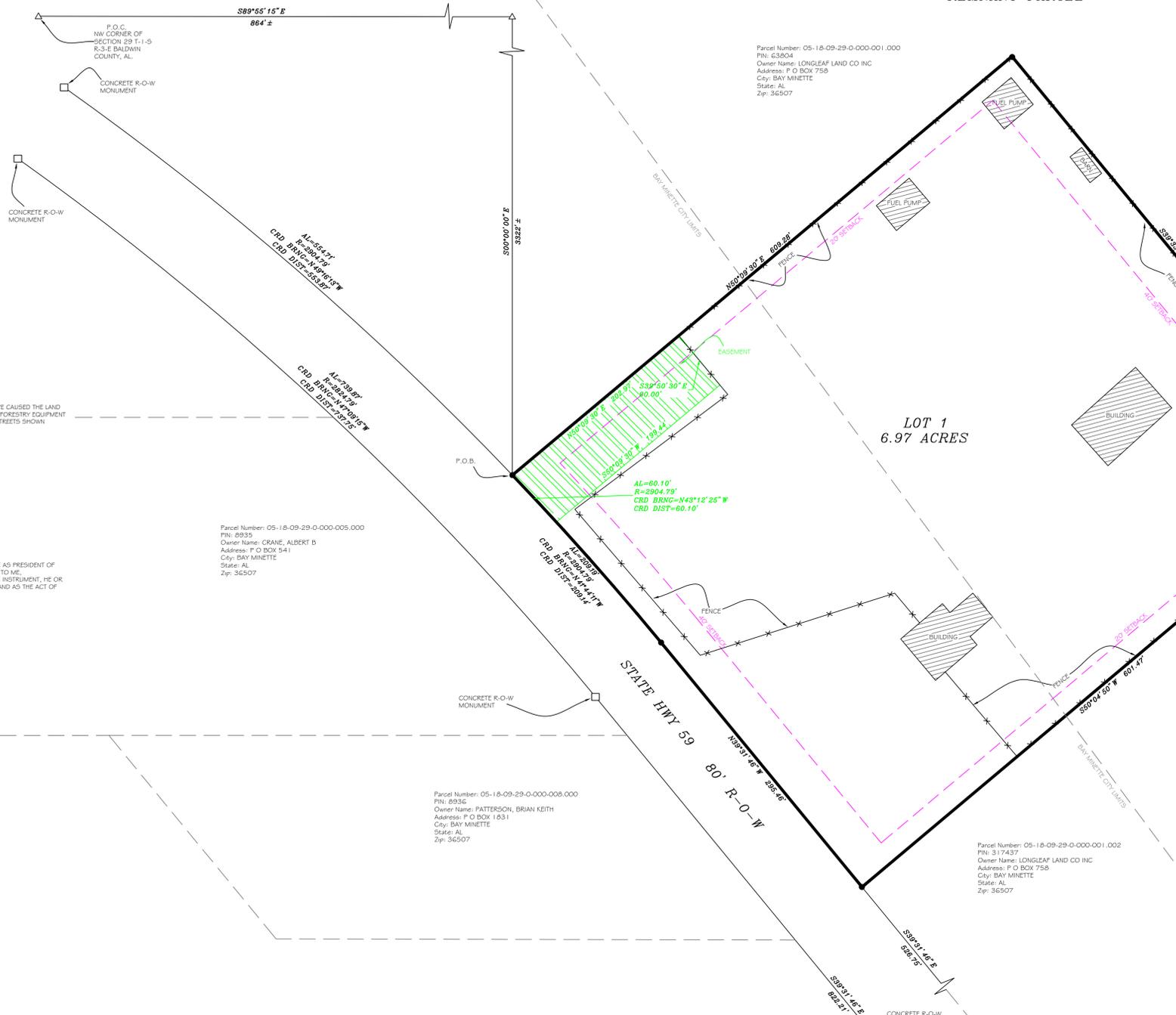
And that the plat or map contained hereon is a true and correct map showing the subdivision into which the property described is divided giving the length and bearings of each lot and easement and showing the streets, alleys and public grounds and giving the bearings, length, width and names of the streets, said map further shows the relation of the land so platted to the Government Survey, and that permanent monuments have been placed at points marked this (●) as hereon shown. I further certify that all parts of this survey and drawing have been completed in accordance with the requirements of the Standards of Practice of land surveying in the State of Alabama to the best of my knowledge, information, and belief.

WITNESS my hand this _____ day of _____, 2022.

Surveyor

Alabama License # 26622

REMNANT PARCEL



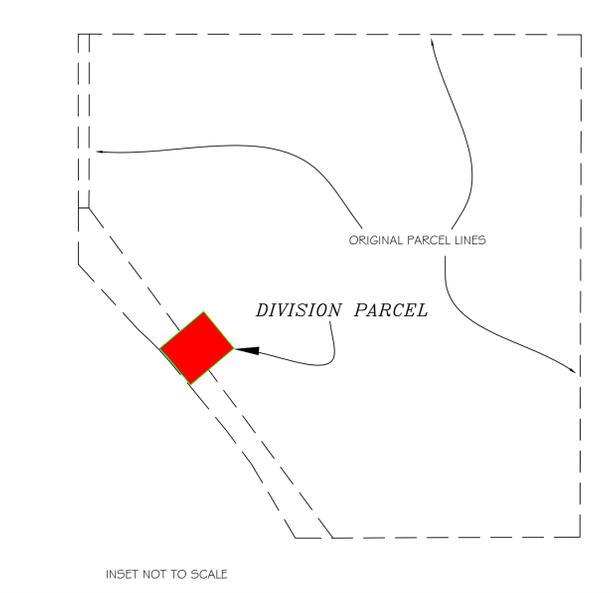
Parcel Number: 05-18-09-29-0-000-001.000
 PIN: 63904
 Owner Name: LONGLEAF LAND CO INC
 Address: P O BOX 758
 City: BAY MINETTE
 State: AL
 Zip: 36507

Parcel Number: 05-18-09-29-0-000-005.000
 PIN: 8935
 Owner Name: CRANE, ALBERT D
 Address: P O BOX 541
 City: BAY MINETTE
 State: AL
 Zip: 36507

Parcel Number: 05-18-09-29-0-000-006.000
 PIN: 8936
 Owner Name: PATTERSON, BRIAN KEITH
 Address: P O BOX 1431
 City: BAY MINETTE
 State: AL
 Zip: 36507

Parcel Number: 05-18-09-29-0-000-001.002
 PIN: 317437
 Owner Name: LONGLEAF LAND CO INC
 Address: P O BOX 758
 City: BAY MINETTE
 State: AL
 Zip: 36507

Parcel Number: 05-18-09-29-0-000-009.002
 PIN: 391561
 Owner Name: BERTAGNOLLI, STEPHANIE
 Address: 10520 OLD HWY 31
 City: SPANISH FORT
 State: AL
 Zip: 36527



BUILDING SETBACKS:

SETBACKS:
 FRONT: 40'
 REAR: 40'
 SIDE: 20'

PARCEL IS UN-ZONED

SITE DATA:

SMALLEST LOT: 6.97 Acres
 LARGEST LOT: 6.97 Acres
 TOTAL # OF LOTS: 1
 TOTAL AREA: 6.97 Acres
 LINEAR FT. STREETS: 0

OWNER & DEVELOPER

LONGLEAF LAND CO INC
 P O BOX 758
 BAY MINETTE AL 36507

SURVEYOR

DAVID LOWERY SURVEYING LLC
 55284 MARTIN LN.
 STOCKTON, AL 36579
 DAVID LOWERY, PLS. LIC. NO 26623

NOTE:
 THERE IS A DEDICATED HEREMITH A 10 FOOT UTILITY EASEMENT ON ALL LOT LINES ADJACENT TO THE R-O-W AND A 10 FOOT UTILITY EASEMENT ON ALL SIDE AND REAR LOT LINES UNLESS OTHERWISE NOTED.

