

The Planning Commission met Monday, November 7th, 2011 at 5:00 PM at the City Administration Building, 161 N. Section Street in the Council Chambers.

Present: Lee Turner, Chairperson; George Roberds, Vice-Chair; Bob Clark; Gary Moore; Dick Charles; Tim Kant; Rick Kingrea and Jennifer Fidler. Jonathan Smith, Planning and Building Director; Nancy Milford, Planner; and Emily Boyett, Secretary
Absent: Jean Wilson

Chairperson Lee Turner called the meeting to order at 5:05 PM and announced the meeting is being recorded. The minutes of the October 3rd, 2011 meeting were considered and Rick Kingrea moved to accept the minutes as written and was 2nd by Jennifer Fidler. Motion carried with two abstentions by Dick Charles and Gary Moore.

SD 11.08 Public hearing for the request of the City of Fairhope Planning and Building Department for an amendment to Article II, Definitions of the Subdivision Regulations to establish a definition for Flood Control Structure, Nancy Milford.

Nancy Milford gave the staff report saying staff has recently had subdivision cases in which the definition of flood control structure was unclear. Staff contacted Mr. Tom Allen with Neel Shafer (the firm that the City contracted to update the Storm Water Section of the Subdivision Regulations in 2007) to get clarification on the definition of flood control structure. Staff recommendation is to include the following definition in Article II, Definitions, of the City of Fairhope Subdivision Regulations:

Flood Control Structures: those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within the City subject to a "special flood hazard" and water depths associated with flooding. Flood control structures typically include: hurricane tidal barriers, dams, reservoirs, levees or dikes. Typically flood control structures are located perpendicular to a stream and within the stream buffer.

Mr. Turner opened the public hearing, having no one present to speak, he closed the public hearing. Mrs. Fidler asked if the definition of "stream" refers to a floodway or gully and Mr. Smith responded it is defined as listed in the ordinance under "stream" but gullies are not included unless it has wetlands. Mr. Moore asked if the Commission's attorney has reviewed the definition and Mr. Smith said he did receive a copy but has not made any comments. Dick Charles moved to accept the staff recommendation to include the following definition in Article II, Definitions, of the City of Fairhope Subdivision Regulations: "Flood Control Structures: those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within the City subject to a "special flood hazard" and water depths associated with flooding. Flood control structures typically include: hurricane tidal barriers, dams, reservoirs, levees or dikes. Typically flood control structures are located perpendicular to a stream and within the stream buffer." Jennifer Fidler 2nd the motion and the motion carried unanimously.

SD 11.10 Public hearing to consider the request of Moore Surveying for Final Plat approval of the Replat of Lot 1 of Wood Church Subdivision, Seth Moore. The property is located on the north side of Magnolia Avenue just east of Church Street. Nancy Milford gave the staff report saying the property is located in the City of Fairhope

and is zoned B-2 General Business District in the Central Business District. The property is approximately 6,635 square feet and two lots are proposed. Staff recommendation is to approve the subdivision contingent upon the following condition:

1) A note shall be placed on the plat stating the following: "A Storm Water Plan and associated calculations, signed and sealed by the engineer of record, shall be submitted and shall be reviewed upon Building Permit review and approval. The property shall be in compliance with all aspects relating to storm water regulations for the City of Fairhope.

Mr. Turner opened the public hearing, having no one present to speak, he closed the public hearing. George Roberds moved to accept the staff recommendation to approve the subdivision contingent upon the following condition: 1) A note shall be placed on the plat stating the following: "A Storm Water Plan and associated calculations, signed and sealed by the engineer of record, shall be submitted and shall be reviewed upon Building Permit review and approval. The property shall be in compliance with all aspects relating to storm water regulations for the City of Fairhope. Dick Charles 2nd the motion and the motion carried unanimously.

Tim Kant entered the room at 5:06 PM.

UR 11.14 Request of the Fairhope Single Tax Corporation for an 11.52.11 review and approval of the proposed construction of approximately 1,300 linear feet of road and sidewalk, extending Boothe Road, Joe Bullock. The project will run from the existing intersection of Boothe Road and Nichols Avenue, north to Morphy Avenue. Nancy Milford gave the staff report saying FSTC has worked for years with Baldwin County and the City to have this roadway constructed. Currently there is no existing public right-of-way for this roadway; however, the FSTC has reserved a 40 foot wide strip of land within the existing leaseholds for this purpose. The proposed roadway will be approximately 1,300 linear feet long with the roadway being 20 feet wide (two 10 foot lanes). A sidewalk is also planned for this corridor and will be extended south of Morphy Avenue to tie to the existing sidewalk located on Boothe Road. The goal of the project is primarily to decrease the amount of time that local school busses must travel on Greeno Road. Staff recommendation is to approve the proposed extension of Boothe Road and sidewalk. Joe Bullock addressed the Commission saying this is a very sensitive area and they have worked with the City, County, and leaseholders to have the best layout and save the most trees. He stated they will be working with Gary Ickes and Jennifer Fidler for tree preservation and to determine the best route. He added this extension will help cut down the school traffic on Greeno Road and lessen the use of Hawthorne Glen Subdivision as a cut through. Mr. Charles asked if the triple culverts will handle a 100 year storm and if the trees will be tagged before any cutting is done and Mr. Bullock responded yes. Mr. Turner asked if they were getting the Utility Review and Approval prior to doing any more work and Mr. Bullock said yes. Mr. Turner opened the floor to any public comments. Ken Berner of 159 Hawthorne Circle said any route would be advantageous to the City, even for hurricanes. He said it will make a lot of difference. Mr. Clark asked if the Tree Committee has looked at this plan and Mr. Bullock said they are on the agenda for Wednesday, but he has already spoken with Bobby Green. He added he has been told they will not be held to the Tree Ordinance because the property is residential but it their intention to conform to the highest degree possible with the Tree Committee's desires. Mr. Brazil addressed the Commission saying he has been working

on this for 15 years, he is happy it is being looked at and it needs to be done for the children and citizens. Mrs. Fidler said she has spent many hours out there and most of the trees will be saved. She said there is only about a 200' to 300' section that is questionable. She said she wants to work with Mr. Bullock and Mr. Ickes to make sure they have the best route possible to save the most trees with the best quality. She also recommended looking at an 18' wide roadway. Mr. Bullock said there are several phases for this project and the first will be to set up the route, second to set the BMPs in place and the tree protection, and the third to enforce those during construction. Mr. Charles asked if the approval is just for the project and not the specific drawing and Mr. Turner responded yes. Mr. Kant asked about bike lanes and if they could be combined with the sidewalks. Mr. Bullock said the combination would restrict the location of the roadway and saving trees. Dick Charles moved to accept the staff recommendation to approve the proposed extension of Boothe Road and sidewalk. Bob Clark 2nd the motion and the motion carried unanimously.

Discussion of County Road 13 – Jonathan Smith stated there have been issues with areas that are County maintained and County right-of-way where subdivisions have been approved, but the County is requiring major road work. The County is requiring turn-lanes for subdivisions with 100 lots, specifically Magnolia Commons. He said the question is whether the Commission wants to keep County Road 13 as it is, as a residential street. Mr. Kant said Co. Rd. 13 is maintained by the County. He said if the Commission would like to see it stay like Morphy Avenue or Gayfer Avenue then the City would have to accept maintenance. He said he would like to keep it residential especially between Fairhope Avenue and Gayfer Avenue. He asked the Commission to think about it and to make a recommendation to the City Council. Mr. Charles said he thinks the Commission should delay for further discussion.

Old/New Business

Northern Greeno Road Corridor – Jonathan Smith said they will have a meeting at the Nix Center at 6:00 PM.

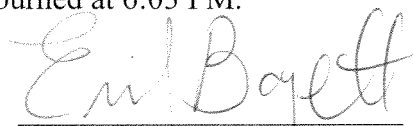
Gary Moore thanked Jean Wilson and Dick Charles for their service as Chair and Vice-chair. Bob Clark seconded.

Jennifer Fidler thanked the Single Tax Corporation for their work on the Boothe Road extension and the work they have done all around town.

Having no further business, Tim Kant moved to adjourn and was 2nd by George Roberds. Motion passed unanimously and the meeting was duly adjourned at 6:03 PM.



Lee Turner, Chairperson



Emily Boyett, Secretary