

The Saraland Planning Commission convened in regular session on February 6, 2018, at the Saraland City Court Room. The meeting was called to order at 6:00 p.m. by Chairman Johnny Holley.

Roll call was as follows:

Present: Chairman Johnny Holley  
Secretary Coy Butts  
Wayne Biggs  
Veronica Hudson  
Ronnie Outlaw  
Austin Sealey  
Barry Andrews  
Johnny Whigham

Absent: Vice-Chairman Robert Lutz

Others present: Mike Black, Inspection Services Director; Matthew Lambert, City Planner; Andy Rutens, City Attorney

Minutes of the January 9, 2018, meeting were approved by signing.

**ZONING AMENDMENT AT 75 MCKEOUGH AVENUE, PARCEL R022202044002001, REQUEST TO REZONE FROM R-3 TO R-4, FILED BY J&M CAPITAL INVESTMENTS, LLC**

Tony Spencer of TPS Design was present to speak for the applicant. The property needs to be re-zoned because a proposed housing development exceeds the density allowed by R-3 zoning. City Planner, Matthew Lambert, recommended a favorable recommendation to the City Council to re-zone the property.

Motion was made by Wayne Biggs, seconded by Coy Butts, for a favorable recommendation to the Saraland City Council to re-zone from R-3 to R-4, 75 McKeough Avenue, Parcel R022202044002001, filed by J&M Capital Investments, LLC. Motion carried.

**PRELIMINARY/FINAL PLAT REVIEW OF S&S FARMS SUBDIVISION, FILED BY ANN MANLEY STOKES C/O GERALD D. BYRD, BYRD SURVEYING**

Prior to the meeting, the plat was reviewed by City Planner, Matthew Lambert. Mr. Lambert recommended approving the plat. Gerald Byrd, Byrd Surveying, was present to speak on behalf of the applicant. The proper notices were sent advertising the public hearing, and Chairman Johnny Holley opened the floor for public hearing. No one was present to speak for or against the subdivision, and the floor was closed.

Motion was made by Barry Andrews, seconded by Ronnie Outlaw, to approve the Preliminary/Final Plat of S&S Farms Subdivision, filed by Ann Manley Stokes c/o Gerald D. Byrd, Byrd Surveying. Motion carried.

**PROPOSED AMENDMENT TO THE SARALAND LAND USE AND DEVELOPMENT ORDINANCE, SECTION 33-5(O) BILLBOARDS**

Section 1. Article XXXIII (Sign Provisions) of the City of Saraland Land Use and Development Ordinance governs the effective use of signs. Article XXXIII contains Section 33-5(o), which concerns the locations for billboards allowable within the City. However, that provision requires amendment to allow for the expanded and appropriate location of billboards within the City, and specifically immediately adjacent to Highway 158, immediately east of Interstate 65. In order to address this issue, Section 33-5(o) is to be amended. Section 33-5(o) currently reads as follows:

(o) Billboards:

New billboards shall only be allowed on parcels immediately adjacent to the I-65 right-of-way. New billboards located along I-65 shall be electronic. For each new electronic billboard or billboard structure erected, four (4) existing billboard structures within the city shall be completely removed. All holes and/or voids resulting from the removal of the billboard structure, foundation, etc. shall be backfilled to be level with the adjacent ground surface. Billboards shall be located a distance of 600 feet from any residential zoning district; 200 feet from any freestanding general business sign; 1,000 feet from an intersection; and 1,500 feet from a park, playground or school. Also, there must be at least 1,000 feet between sign structures located on the same side of the highway.

Existing billboards may remain in place as non-conforming if they are in compliance with Section 33-7(a).

(1) Electronic Requirements:

Electronic billboard signage area allowed shall be a maximum of six hundred seventy-two (672) square feet. Maximum height shall be fifty (50) feet. Digital billboard construction is allowed, as a monopole design with underground utility service, provided the following requirements are met:

- (a) The sign does not display any illumination by flashing, intermittent or moving lights; does not contain or display animated, moving, projecting, video or scrolling elements;
- (b) Each message shall be displayed for at least eight (8) seconds and a change of message shall be accomplished within two (2) seconds or less;
- (c) A change of message must occur simultaneously on the entire sign;

- (d) A sign face is only visible from one direction of traffic;
- (e) It will automatically adjust the intensity of its display brightness according to natural ambient light condition;
- (f) It contains a default design mechanism that freezes the sign in one position if a malfunction occurs;
- (g) The sign owner shall provide contact information for a person who is available to adjust the intensity of the sign should a malfunction occur.

(2) Billboard Permitting:

- (a) Permit applications shall be submitted to the Building Official or his designee. If the applicant satisfies the requirements of this Section, the Building Official, or his designee, will issue a provisional permit granting permission for the digital sign, subject to the issuing of a permit by the Alabama Department of Transportation.
- (b) The applicant shall obtain a permit from the Alabama Department of Transportation allowing the requested construction, and shall provide a copy of that permit to the Building Official, or his designee, no later than twelve (12) months following the issuance of the provisional permit.
- (c) If the applicant satisfies the requirements of The Saraland Land Use and Development Ordinance and obtains a permit from the Alabama Department of Transportation, the Building Official, or his designee, shall issue a sign permit for the billboard.
- (d) The provisional permit shall expire twelve (12) months after its issuance if no sign permit has been issued in that time.
- (e) All billboards shall obtain annual electrical and structural inspections. A copy of these inspections, along with the annual fee, shall be submitted to the Building Official, or his designee, due on December 31<sup>st</sup>.

In order to address the propriety of billboards immediately adjacent to Highway 158, just east of Interstate 65, Section 33-5(o) of the City of Saraland Land Use and Development Ordinance, the City Council of the City of Saraland, Alabama, amends Section 33-5(o) to read as follows:

(o) Billboards:

New billboards shall only be allowed on parcels:

- Immediately adjacent to the I-65 right-of-way. New billboards located along I-65 shall be electronic. For each new electronic billboard or billboard structure erected, four (4) existing billboard structures within the city shall be completely removed. All holes and/or voids resulting from the removal of the billboard structure, foundation, etc. shall be backfilled to be level with the adjacent ground surface. Billboards shall be located a distance of 600 feet from any residential zoning district; 200 feet from any freestanding general business sign; 1,000 feet from an intersection; and 1,500 feet from a park, playground or school. Also, there must be at least 1,000 feet between sign structures located on the same side of the highway.
- Immediately adjacent to Highway 158 in the area that is within one thousand (1,000) feet of the Interstate 65 right-of-way. For each new location for an electronic billboard face or billboard structure erected, six (6) existing billboard structures within the City that are not immediately adjacent to the Interstate 65 right-of-way shall be completely removed. All holes and/or voids resulting from the removal of the billboard structures, foundation, etc., shall be backfilled to be level with the adjacent ground surface. In this area, billboards shall be located a distance of six hundred (600) feet from any residential zoning district; one hundred (100) feet from any free-standing general business sign; no closer than six hundred (600) feet to any park, playground or school; and no closer than nine hundred (900) feet to any other billboard or other off-premises sign structures located on either side of the Highway 158 right-of-way.

Existing billboards may remain in place as non-conforming if they are in compliance with Section 33-7(a).

(1) Electronic Requirements:

Electronic billboard signage area allowed shall be a maximum of four hundred seventy-two (472) square feet. Maximum height shall be fifty (50) feet. Digital billboard construction is allowed, as a monopole design with underground utility service, provided the following requirements are met:

- (a) The sign does not display any illumination by flashing, intermittent or moving lights; does not contain or display animated, moving, projecting, video or scrolling elements;
- (b) Each message shall be displayed for at least eight (8) seconds and a change of message shall be accomplished within two (2) seconds or less;
- (c) A change of message must occur simultaneously on the entire sign;
- (d) A sign face is only visible from one direction of traffic;

- (e) The sign brightness will not exceed a reasonable nit level based upon the design and location of the signs and the area around it. In no event will the “nit” level exceed 6000 during daylight hours and 300 from dusk till dawn. The digital sign will have automatic dimming features in place to provide for automatic dimming of the “nit” level based upon the ambient environment.
- (f) It will automatically adjust the intensity of its display brightness according to natural ambient light condition;
- (g) It contains a default design mechanism that freezes the sign in one position if a malfunction occurs;
- (h) The sign owner shall provide contact information for a person who is available to adjust the intensity of the sign should a malfunction occur.

(2) Billboard Permitting:

- (a) Permit applications shall be submitted to the Building Official or his designee. If the applicant satisfies the requirements of this Section, the Building Official, or his designee, will issue a provisional permit granting permission for the digital sign, subject to the issuing of any necessary permit by the Alabama Department of Transportation.
- (b) If a permit from the Alabama Department of Transportation (ALDOT) is required, the applicant shall obtain a permit from ALDOT allowing the requested construction, and shall provide a copy of that permit to the Building Official, or his designee, no later than twelve (12) months following the issuance of the provisional permit.
- (c) If the applicant satisfies the requirements of The Saraland Land Use and Development Ordinance and obtains a permit from the Alabama Department of Transportation, the Building Official, or his designee, shall issue a sign permit for the billboard.
- (d) The provisional permit shall expire twelve (12) months after its issuance if no sign permit has been issued in that time.
- (e) All billboards shall obtain annual electrical and structural inspections. A copy of these inspections, along with the annual fee, shall be submitted to the Building Official, or his designee, due on December 31<sup>st</sup>.

Motion was made by Wayne Biggs, seconded by Ronnie Outlaw, for a favorable recommendation to the Saraland City Council to amend the Saraland Land Use and Development Ordinance Section 33-5(o) Billboards. Motion carried. Veronica Hudson abstained.

**MASTER PLAN REVIEW OF CELESTE ROAD TRACT PLANNED UNIT DEVELOPMENT, FILED BY J3 I LLC AND BLUEWATER DESIGN, LLC**

The review was postponed from the January 9, 2018, Planning Commission meeting, and Matthew Lambert, City Planner, explained tonight was the third review of the master plan by the Planning Commission. Since the last submittal, the lot sizes were revised to meet the minimum R-1 zoning requirements for the entire development. He gave a favorable recommendation to approve the master plan. After the proper notices were sent advertising the public hearing, Chairman Johnny Holley opened the floor for a public hearing. The following spoke:

1. Ronald C. Thomas of 3634 Willow Walk Drive (opposed)
2. Larry Trehern of 7851 Walnut Ridge Court (opposed)
3. Gatha Beavers of 8295 Privet Drive (in favor)
4. Mike Thomas of Bluewater Design (in favor)
5. Jason Rowell of 3663-B Celeste Oaks Drive (opposed)
6. Ashley Flower of 3663-C Celeste Oaks Drive (opposed)
7. Scott Vernon of 3415 Forest Ridge Court (opposed)
8. Chris Lambert of 8575 Celeste Road (neutral)
9. Bill Kulick, attorney-at-law representing the investors of the project (in favor)
10. Daniel Whelan of 3643 Willow Walk Drive (opposed)
11. Teri Burns of 8787 Celeste Road (in favor)
12. Michael Bru of 10935 Army Road Extension South (in favor)
13. Joseph Kelly of 7855 Spartanburg Drive (opposed)

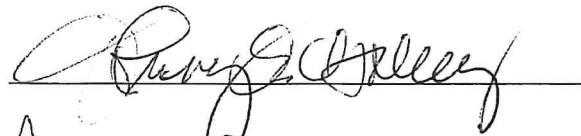
Chairman Holley closed the floor for the public hearing.

Motion was made by Ronnie Outlaw, seconded by Austin Sealey, to approve the Master Plan of Celeste Road Tract Planned Unit Development, filed by J3 I LLC and Bluewater Design, LLC. Motion carried.

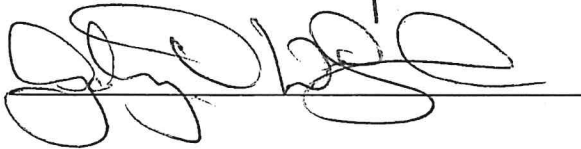
There being no further business to come before the Planning Commission, the meeting adjourned at 7:45 p.m.

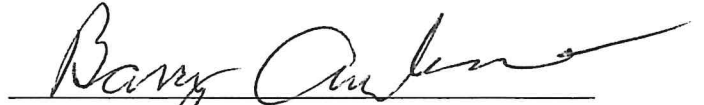


**ACCEPTED AND APPROVED:**



Austin Sealey





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