

The Saraland Planning Commission convened in regular session on August 13, 2019, at the Saraland City Court Room. The meeting was called to order at 6:00 p.m. by Mr. Barry Andrews.

Roll call was as follows:

Present: Secretary Coy Butts
Wayne Biggs
Veronica Hudson
Barry Andrews
Ronnie Outlaw
Austin Sealey

Absent: Vice-Chairman Robert Lutz
Scooter Thronson

Others present: D. Logan Anderson, City Planner; Mike Black, Chief Building Inspector; Brooke Miller, Building Department Office Assistant; Andy Rutens, City Attorney

Motion was made by Wayne Biggs, seconded by Veronica Hudson, to approve the August 13, 2019, Planning Commission agenda. Motion carried.

Mr. Barry Andrews called for conflicts of interest of any agenda item for members of the Planning Commission. No conflicts were brought forth.

**PUBLIC HEARING: PRELIMINARY/FINAL PLAT REVIEW OF CRENSHAW
REVISED SUBDIVISION, 110 LINCOLN STREET, FILED BY JOHN CRENSHAW.**

D. Logan Anderson, City Planner, gave a brief review of the request and stated the right-of-way along Lincoln Street is illustrated on the plat as 40', which is inconsistent with the 50' right-of-way illustrated on Mobile County tax maps. He then stated that an increased setback of 45' along Lincoln Street is illustrated on the plat in lieu of dedication, therefore no additional dedication should be required. Mr. Anderson then gave a favorable recommendation to approve the preliminary/final plat subject to: revising the plat to illustrate the minimum setbacks for side and rear property lines in an R-1 zoning district (10' side yard and 35' rear yard); revising the site data table to indicate the setbacks illustrated on the plat (front, side and rear yards); and, providing one (1) copy of the recorded plat to the Saraland Building Department. The proper notices were sent advertising the public hearing, and Mr. Barry Andrews opened the floor for public hearing.

Ms. Bertha Pugh of 19 Howze Lane inquired about the potential impact of the request on her lot at 201 Church Street with regards to what will be built, how the proposed lot lines will affect her property, and how the wildlife on the subject site will be affected. D. Logan Anderson, City Planner, responded that there were no plans for construction on the subject site at this time and that the request was simply to alter existing lot lines. Mr. Anderson also

stated that any construction would be limited to single-family dwellings since the subject site is zoned R-1, and all but one of the proposed lots are already developed. Andy Rutens, City Attorney, responded that there were no City provisions for wildlife.

Ms. Hope Sullivan inquired about any projects proposed for the subject site, to which D. Logan Anderson, City Planner, responded that there were no plans for development of any kind on the subject site at this time. Ms. Sullivan did not provide an address to Staff.

Ms. Cynthia Padgett of 116 Lincoln Street inquired about the configuration of the property lines on the subject site, to which Staff provided her a copy of the preliminary plat.

The public hearing was closed.

Motion was made by Wayne Biggs, seconded by Ronnie Outlaw, to approve the Preliminary/Final Plat of Crenshaw Revised Subdivision, 110 Lincoln Street, filed by John Crenshaw, subject to staff recommendations. The motion carried.

PUBLIC HEARING: PRELIMINARY/FINAL PLAT REVIEW OF CREAX ROAD ESTATES, PHASE II, CREAX ROAD EXTENSION, FILED BY FOXTRAP INVESTMENTS, LLC.

D. Logan Anderson, City Planner, gave a favorable recommendation to approve the preliminary/final plat subject to: revising the plat to indicate the request is for Phase II, not Phase I, of the subdivision, under the Planning Commission Certification block; complying with Article 11-8 of the Land Use and Development Ordinance regarding required surface improvements for the proposed private road; obtaining final approval by the City Engineer concerning required road improvements prior to the signing of the Final Plat; and, providing one (1) copy of the recorded plat to the Building Department prior to any requests for building permits. The proper notices were sent advertising the public hearing, and Mr. Barry Andrews opened the floor for public hearing.

Mr. Miles Dearing of 11500 Creax Road Extension inquired about the utilities available to the subject site, to which D. Logan Anderson, City Planner, responded that the applicant indicated the site has access to Le Moyne Water System.

Mr. Barry Andrews explained how and when the subject site was annexed into city limits. Mr. Wayne Biggs inquired about the type of surfacing on Creax Road Extension, to which D. Logan Anderson, City Planner, responded that it is gravel surfacing. Mr. Austin Sealy made a statement that the applicant should be aware of Fire Department response times being an average of 14 minutes to this area, which is longer than other areas of the city.

Mr. Jason Lindes inquired about the extent of paving that would be required on the subject site and would that include Creax Road Extension. Mr. D. Logan Anderson, City Planner, responded that the paving is required only for the proposed private road on the property. Mr. Lindes did not provide an address to Staff.

The public hearing was closed.

Motion was made by Wayne Biggs, seconded by Ronnie Outlaw, to approve the Preliminary/Final Plat of Creax Road Estates, Phase II, Creax Road Extension, filed by Foxtrap Investments, LLC, subject to staff recommendations. The motion carried.

RECOMMENDATION TO CITY COUNCIL: PETITION FOR ANNEXATION OF PARCEL NUMBER R021909311000013., FILED BY PROPERTY OWNER JUSTIN MAYFIELD.

D. Logan Anderson, City Planner, gave a brief description of the request and stated that the site, if annexed, would be non-conforming since it is developed with two (2) single-family dwellings and Article 9-10 of the Land Use and Development Ordinance limits one (1) single-family dwelling per lot in an R-1 zoning district. He then stated that City Council placed a three-month moratorium on annexations of property that would be non-conforming, but that the request at hand is exempt since the petition was filed prior to the moratorium. Mr. Anderson then recommended the Planning Commission provide a favorable recommendation to approve the Petition for Annexation of Parcel R021909311000013. with the requested zoning of R-1, Low Density Residential, with the following contingency: the applicant shall subdivide the property into two (2) lots to comply with Article 9-10 of the Land Use and Development Ordinance regarding the maximum amount of dwellings on a lot in an R-1 zoning district.

Mr. Ronnie Outlaw inquired about the moratorium and how it affects the request. Andy Rutens, City Attorney, stated that the moratorium is in effect for future applications and that it does not affect the request. He then stated that no property has the right to annex; therefore the Planning Commission can provide either a favorable or unfavorable recommendation, or a favorable recommendation with conditions. He then stated that City Council can only vote on the recommendation provided by the Planning Commission and that any changes to the recommendation would have to be done by the Planning Commission at an additional meeting.

Mr. Wayne Biggs inquired about regulations regarding flag lots. D. Logan Anderson, City Planner, responded that a flag lot would be permitted on the subject site, or that the applicant could provide an ingress/egress easement to the rear of the property where the second dwelling is located.

Mr. Ronnie Outlaw again asked about the moratorium. Andy Rutens, City Attorney, explained the purpose of the moratorium. Mr. Coy Butts asked if the applicant could subdivide the property and then apply for annexation. Mr. Wayne Biggs stated that the Planning Commission is only making a recommendation to City Council regarding the request, which can include a condition to subdivide.

Motion was made by Wayne Biggs, seconded by Coy Butts, to provide a favorable recommendation to City Council to approve the Petition for Annexation of Parcel Number R021909311000013., filed by property owner Justin Mayfield, with the

condition that the applicant subdivide the property into at least two (2) lots to comply with Article 9-10 of the Land Use and Development Ordinance.

NEW BUSINESS

Andy Rutens, City Attorney, made a suggestion that the Planning Commission start considering how to address petitions for annexing non-conforming properties. Mr. Wayne Biggs inquired about the steps necessary to ensure properties are conforming if they request to be annexed. Mr. Rutens responded that amending the Land Use and Development Ordinance is the necessary step, and that he will draft an Ordinance amendment. Dr. Veronica Hudson discussed previously annexed non-conforming properties and what made them non-conforming. Mr. Coy Butts stated that the Planning Commission has been inconsistent with their recommendations for annexation and that it should be more consistent.

There being no further business to come before the Planning Commission, the meeting adjourned at 6:35 p.m.

ACCEPTED AND APPROVED:

Coy Butts
Veronica Hudson
Julie Mc Guire
Scotty Throner
Wayne E. Biggs

RK Dutton
Barry Aulon