

The Saraland Planning Commission convened in regular session on April 12, 2022 at the Saraland City Court Room. The meeting was called to order at 6:00 p.m. by Chairman Scooter Thronson.

Roll call was as follows:

Present: Chairman Scooter Thronson  
Vice Chairman David Brown  
Secretary Julie McGuire  
Mayor Howard Rubenstein  
Councilman Wayne Biggs  
Battalion Chief Austin Sealey  
Barry Andrews  
Dr. Wayne Lyssy  
Vincent Walker

Absent:

Others present: Ian Cantrell, City Planner, Mike Black, Director Building Department, Andy Rutens, City Attorney.

Motion was made by Barry Andrews to approve the minutes for the January 20, 2022 regular meeting, seconded by Wayne Biggs. Motion carried.

Motion was made by Barry Andrews to approve the minutes for the March 8, 2022 regular meeting, seconded by Wayne Biggs. Motion carried.

Motion was made by Barry Andrews to approve the minutes for the March 29, 2022 regular meeting, seconded by Wayne Lyssy. Motion carried.

Motion was made by Barry Andrews to approve the agenda for the April 12, 2022 meeting, seconded by Julie McGuire. Motion carried.

Chairman Scooter Thronson called for conflicts of interest of any agenda item for members of the Planning Commission. Barry Andrews spoke in reference to Agenda Item B and stated his need to refrain from discussion.

Invocation by Wayne Biggs

No report of subcommittee

**OLD BUSINESS:** None

**NEW BUSINESS:**

A. Public Hearing & Preliminary/Final Subdivision Plat Review for the re-sub of parcels 1205150000002.144 and 1205150000002.001, the resub of parcel "A" Annabrianna Subdivision, 10 lots, filed by Millard Austin/Austin Engineering/Louis G. Buffkin & Patsy S. Buffkin.

Ian Cantrell, City Planner, stated the staff recommends to postpone this item until the May 10, 2022 Planning Commission meeting due to the inaccurate application was submitted. Mr. Cantrell stated that since a public hearing was already advertised in relation to this item, that the floor needs to be opened for the public hearing.

Chairman Scooter Thronson opened the floor for the public hearing.

Property Owner, Louis G Buffkin stated the purpose of this application. The original buyers had an interest in subdividing this property, however since that did not work out as planned, Mr. Buffkin would like to revert back to the way it was previously surveyed.

No additional speakers, Chairman Scooter Thronson closed the public hearing.

Motion was made by Scooter Thronson, seconded by Julie McGuire to postpone this application until the May 10, 2022 Planning Commission meeting. All in favor. Motion carried.

B. Public Hearing & Preliminary/Final Subdivision Plat Review for a 2 lot subdivision at 525 Cleveland Rd, the Deborah's Garden Subdivision, parcels 2202043002089 and 2202043002088, filed by owners Barry and Deborah Ann Andrews.

Chairman Scooter Thronson described the purpose of this application and stated due to there not being a quorum, this will need to be postponed until the May 10, 2022 Planning Commission meeting. However, because the public hearing was appropriately advertised, the floor can be opened for speakers.

Chairman Scooter Thronson opened the floor for public hearing.

Mr. Allen Cleghorn of 535 Gilbert St spoke and wanting to make sure the due diligence is being done and the meeting is being recorded. City Planner, Ian Cantrell assured Mr. Cleghorn it was being recorded. Mr. Cleghorn voiced concerns regarding property value, his quality of life, subdividing a piece of property in a subdivision, zoning regulations,

and also requested a civil engineering plan. Mr. Ian Cantrell, expressed that one was not made for this application. Mr. Cleghorn stated that density must also be included. He also raised concerns about noise abatement, commercial resale, right of way issues, easement concerns, sewage, water hook up, city maintenance, environmental impact on topographic situations. Mr. Cleghorn requested these items be addressed at next Planning Commission meeting.

City Planner, Ian Cantrell, attempted to address some of Mr. Allen Cleghorn's concerns. Mr. Cantrell stated the property is currently zoned R1 and the application submitted was a Preliminary/Final Subdivision application. If any types of roads or infrastructure were being proposed, then it would need to be the 2-step process of a Preliminary Plat Application and a Final Plat Application. This application is only to move a property line on the already existing 2 lots, which in turn would then change the shape of the lots. Nothing is being added, only moving an existing line. City Planner, Ian Cantrell reemphasized that in an R1 zoned lot, you are not allowed to have more than one residential structure and stated before any type of future development or rezoning, the appropriate public notices would be put up.

No additional speakers. Chairman Scooter Thronson closed the public hearing.

Motion was made by Wayne Biggs to postpone this application until the May 10, 2022 Planning Commission meeting due to no quorum. Austin Sealey seconded that motion. All in favor. Motion carried.

C. Public Hearing & Preliminary/Final Subdivision Plat Review for the re-plat of 8120 Biltmore Dr, lot 64 of the Charleston Ridge Phase 2 Subdivision, and parcel 1904190000001.236, filed by Dewberry Engineers on behalf of owners D.R. Horton, Inc. – Birmingham and Moore Properties, LLC.

City Planner, Ian Cantrell, described the purpose of this application and stated this house was currently being used as a model home. It was originally built and compliant with the setbacks, however a deck was added onto the back of the structure prior to the issuance of the building finals, which encroached into the setbacks and deemed the house to be not sellable.

Chairman Scooter Thronson opened the floor for the public hearing.

Melissa Curry, with Dewberry Engineering, stated she was here to answer any questions anyone might have in regards to this project.

No additional speakers. Chairman Scooter Thronson closed the public hearing.

Motion was made by Wayne Biggs to approve the re-plat of 8120 Biltmore Dr, lot 64 of the Charleston Ridge Phase 2 Subdivision, and parcel 1904190000001.236, filed by Dewberry Engineers on behalf of owners D.R. Horton, Inc. – Birmingham and Moore Properties, LLC. Barry Andrews seconded the motion. All in favor. Motion carried.

D. Public Hearing & Preliminary/Final Subdivision Plat Review for the resub of lot 2 of the Northwood Trail Subdivision, at the terminus of Julie Anne Dr, filed by owner Millard Austin/Kalioka Investments, LLC.

Ian Cantrell, City Planner, stated the staff recommends to postpone this item until the May 10, 2022 Planning Commission meeting due to the inaccurate application was submitted. Mr. Cantrell stated that since a public hearing was already advertised in relation to this item, that the floor needs to be opened for the public hearing. Mr. Cantrell, as stated there may be an issue concerning the number of lots already existing in the subdivision and there needs to be a discussion about opening up or developing the unopened stretch of Right of Way that touches the property. If anything further is to be done with the property, there needs to be a second form of ingress/egress and right now there is only the unopened stretch of right of way.

Chairman Scooter Thronson opened the floor for the public hearing.

No speakers. Chairman Scooter Thronson closed the public hearing.

Motion was made by Wayne Biggs to postpone this application until the May 10, 2022, seconded by Barry Andrews. All in favor. Motion carried.

E. Public Hearing, Sketch Plan Review, and Preliminary Master Plan Review for the Planned Unit Development of the Bear Run Subdivision, Lot's 1, 2, and 3 of the Bear Run Subdivision, located at and to the east of 8380 Celeste Rd, filed by Dewberry Engineers on behalf of owner Moore Properties, LLC.

City Planner, Ian Cantrell described the purpose of this application and reminded the Planning Commission that the applicant a couple of months ago had the 3 lots rezoned to R2 and are now returning to the Planning Commission with their Master Plan for the multi-phase subdivision proposed for 245± lots throughout the 3 phases. This application is the master plan to have approved before considering Phase I of the Preliminary Plat. Mr. Cantrell recommends planning approval contingent upon Public Safety approval.

Chairman Scooter Thronson opened the floor for public hearing.

Melissa Curry with Dewberry Engineering stated there are only 179 proposed lots.

Mayor Howard Rubenstein asked when in the process will the traffic study be done?

Melissa Curry stated the traffic study has already been prepared and submitted along with the Phase I construction plans.

No additional speakers, Chairman Scooter Thronson closed the public hearing.

Motion was made by Wayne Biggs to approve the Preliminary Master Plan Review for the Planned Unit Development of the Bear Run Subdivision, Lot's 1, 2, and 3 of the Bear Run Subdivision, located at and to the east of 8380 Celeste Rd, filed by Dewberry Engineers on behalf of owner Moore Properties, LLC., contingent upon final Public Safety assessment. Barry Andrews seconded the motion. All in favor. Motion carried.

F. Public Hearing & Preliminary Plat Review of Phase 1 of the Bear Run Subdivision, 89 lots, located at and east of 8380 Celeste Rd, filed by Dewberry Engineers on behalf of owner Moore Properties, LLC.

Chairman Scooter Thronson opened the floor for public hearing. No speakers. Chairman Scooter Thronson closed the floor for the public hearing.

City Planner, Ian Cantrell described the purpose of the application and recommends approval contingent upon 3 conditions.

1.) City Engineer has recommended the traffic study, submitted by the developer, be added as conditions of approval of Phase I.

2.) City Engineer has also requested that a condition be placed on a further approval of drainage calculations.

3.) City Planner would like to also get Public Safety to review.

Motion was made by Wayne Biggs to approve the Preliminary Plat Review of Phase 1 of the Bear Run Subdivision, 89 lots, located at and east of 8380 Celeste Rd, filed by Dewberry Engineers on behalf of owner Moore Properties, LLC., contingent upon the additional conditions. Barry Andrews seconded the motion. All in favor. Motion carried.

G. Discussion/Recommendation to the City Council on an Amendment to Article XVII (17) of the Land Use and Development Ordinance "Procedures For Subdivision Review"

City Attorney, Andy Rutens described the recommendation and stated all previously requested changes have been made.

Motion to recommend approval to the City Council for the Amendment to Article XVII (17) and XX (20) of the Land Use and Development Ordinance "Procedures for Subdivision Review" was made by Julie McGuire, seconded by Barry Andrews. All in favor. Motion carried.

H. Discussion/Recommendation to City Council on Requirements for Private Roadways

City Attorney, Andy Rutens reviewed the requirements for Private Roadways.

Motion was made by Wayne Biggs to approve the Requirements for Private Roadways, seconded by Barry Andrews. All in favor. Motion carried.

I. Discussion/Recommendation to City Council on An Ordinance Prohibiting The Subdivision of Property Located On A Roadway Classified As A Major Street Or Collector Street Without Providing Alternate Driveway Access.

City Attorney, Andy Rutens described the recommendation and stated this does not exclude state or federal highways, nor does it impact any ALDOT requirements.

Motion was made by Wayne Biggs for a favorable Recommendation to City Council on An Ordinance Prohibiting The Subdivision of Property Located On A Roadway Classified As A Major Street Or Collector Street Without Providing Alternate Driveway Access. Barry Andrews seconded the motion. All in favor. Motion carried.

There being no further business to come before the Planning Commission, the meeting adjourned at 6:30 p.m.

**ACCEPTED AND APPROVED:**

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Scotter

Austin Sealey

Wayne E. Buggs

Julie McMillin

Lon B. Parker

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