

The Saraland Planning Commission convened in regular session on March 14, 2023, at the Saraland City Court Room. The meeting was called to order at 6:05 p.m. by Chairman Scooter Thronson.

Roll call was as follows:

Present: Chairman Scooter Thronson  
Mr. David Brown  
Ms. Julie McGuire  
Mayor Howard Rubenstein  
Councilman Wayne Biggs  
Capt. Clayton Horton  
Dr. Wayne Lyssy  
Mr. Vincent Walker

Absent: Mr. Barry Andrews

Others present: Brendan Schwandner, City Planner; Mike Black, Director Building Department; Andy Rutens, City Attorney; Laura Tarver, Permit Technician; Jennifer Jemison, Zoning Technician.

Motion was made by Dr. Wayne Lyssy, to approve the minutes from the February 14, 2023, regular meeting, seconded by Mr. David Brown. Motion carried.

Motion was made by Dr. Wayne Lyssy to approve the agenda for the March 14, 2023, regular meeting, seconded by Mr. David Brown. Motion carried.

Chairman Scooter Thronson called for conflicts of interest of any agenda item for members of the Planning Commission. No conflicts.

Invocation by Wayne Biggs

**OLD BUSINESS:** None

**NEW BUSINESS:**

A – Public Hearing & Sketch Plan Review for the proposed 2 phase, 226 lot Bear Run development on Celeste Rd, concerning parcels 1904190000001.054, 1904190000001.065, 1904190000001.236, & 1904190000001.098, approx. 114.9 acres total, filed by Dewberry on behalf of Moore Properties, LLC

City Planner Brendan Schwandner described the purpose of this application and stated the applicant first received master plan review approval at the April 12, 2022, Planning Commission. The original plan consisted of 179 lots, varying from 10,125 sq ft, to

16,610 sq ft in area. As required for approval at this density, the applicant rezoned the property from R1 low density single family residential to R2 medium density single family residential. The applicant then received preliminary plat approval for Phase 1 at the April 2022 meeting, and preliminary plat approval for Phase 2 at the May 2022 meeting. On February 13th, the application submitted a revised sketch plan which increases the amount of lots from 179 to 226. The lots now vary in size from 8,370 sq ft, to 11,250 sq ft. The applicant has submitted a rezoning application for the next Planning Commission meeting, with the intention of R1-A Single Family Patio Residential, to accommodate this density. Aside from the changes to density, the layout of the development appears to be very similar – the only differences being the decrease in the amount of common space, Nita Way is now shown to stub out where it reaches the gas line easement to the East of the property, and where Paddington Ln used to stub out, is now shown to end as a cul-de-sac. The plan contains a 16.03-acre undeveloped common area to the southeast, intended for trails or similar leisurely activities. The plan indicates donating this property to the City of Saraland, but the applicant was told that this would be at the discretion of the City.

Chairman Scooter Thronson opened the floor for public hearing.

Mike Cook lives at 8320 Celeste Rd spoke. Mr. Cook stated he would like the Planning Commission and the developer to reconsider the proposed development, because with Charleston Ridge Subdivision bordering it on the South and Willow Walk Subdivision to the West, he fears the smaller lot sizes will decrease the values of the existing homes around that area. Mr. Cook has requested a minimum of 2500sq. ft. be considered to keep the same standard as the surrounding subdivisions.

Chairman Scooter Thronson closed the public hearing.

Others in attendance were Cathy Barnette & Chloe Kelly from Dewberry and also the property owner, Jim Moore. Mrs. Barnette stated they were only looking for feedback/input from the Planning Commission and public on this proposed development. Mrs. Barnette pointed out the financial concerns regarding the development and the reasons for the PUD. The current outline calls for the larger lot sizes to be located towards the entrance points with the smaller lots more inland. They plan on keeping a 16-acre parcel along the Southeast corner as a buffer to the adjacent Charleston Ridge Subdivision. The developers, Dewberry, were attempting to address several of the concerns from the previous attempts at development.

Mayor Howard Rubenstein spoke on his concerns regarding the density of this development and suggested to look at alternatives.

Ms. Chloe Kelly pointed out their goal was to make things more affordable and obtainable for the growing community. This sketch plan proposal they are looking for feedback at this time and are open to ideas and discussions.

Mr. Vincent Walker briefly spoke about the concerns for the lot sizes.

Ms. Chloe Kelly explained their reasoning for the proposed lot sizes and the challenge the developer, Dewberry, is facing with the setbacks within the smaller lot sizes.

Mr. Wayne Biggs pointed out the demand for more housing and addressed the concerns about tax values.

Chairman Scooter Thronson closed the floor for the public hearing.

Motion was made by Vincent Walker, seconded by Wayne Biggs, to approve the Sketch Plan Review for the proposed 2 phase, 226 lot Bear Run development on Celeste Rd, concerning parcels 1904190000001.054, 1904190000001.065, 1904190000001.236, & 1904190000001.098, approx. 114.9 acres total, filed by Dewberry on behalf of Moore Properties, LLC. Roll call vote was taken. 4 Planning Commission members voted Nay/4 Planning Commission members voted Yay. Motion failed.

B – Public Hearing & Preliminary/Final Subdivision Plat Review for the 2-lot subdivision “Shady Oaks Place”, concerning parcel 2202042000019.000, approx. 1.5 acres total, filed by Faye Carmichael

City Planner, Brendan Schwander described the purpose of this application is to subdivide one lot into two. There are existing houses within the boundaries of each proposed lot, and both comply with all relevant lot area, width, density, and setback rules as classified for an R1 district. Planning sees no issues with this application and recommends approval.

Chairman Scooter Thronson opened the floor for the public hearing.

A gentleman named Jim is going to be purchasing this property from Mrs. Carmichael and just wanted the reinitiate to the Planning Commission his plans were to keep the property just as it is.

Chairman Scooter Thronson closed the floor for the public hearing.

Motion was made by Wayne Lyssy, seconded by Capt. Clayton Horton, to approve the Preliminary/Final Subdivision Plat Review for the 2-lot subdivision “Shady Oaks Place”, concerning parcel 2202042000019.000, approx. 1.5 acres total, filed by Faye Carmichael. All in favor. Unanimous. Motion carried.

C – Planning Approval for Mega Storage, for the use of a B2-zoned lot at 26 Everett Ave E, parcel 2202032000100.000, to be used as a storage facility, filed by owner Chase Lunn

City Planner, Brendan Schwandner described the purpose of this application as an application to utilize an approx. 1-acre lot at 26 Everett Ave E as a storage facility. This



site has ingress and egress directly off Everett Ave. The property is currently zoned and is surrounded by B2-zoned lots. However, the properties to the north are currently being utilized for single-family residential, and the property to the south for multi-family residential. This lot is categorized as "mixed use" in the City of Saraland Master Plan.

Motion was made by Wayne Lyssy, seconded by David Brown for favorable Planning Approval for Mega Storage, for the use of a B2-zoned lot at 26 Everett Ave E, parcel 2202032000100.000, to be used as a storage facility, filed by owner Chase Lunn. All in favor. Motion carried.

D – Site Plan Review for Mega Storage, for the use of a B2-zoned lot at 26 Everett Ave E, parcel 2202032000100.000, to be used as a storage facility, filed by owner Chase Lunn

City Planner, Brendan Schwandner described the purpose of this application as the original site plan was reviewed by Planning and City Engineer Kirby Latham, and the applicant was sent a letter by both regarding revisions. A physical copy of the revised site plan was submitted earlier today. Upon re-review, it was concluded that the revised set addressed all requested revisions. However, Kirby has not yet had a chance to re-review the plans. As such, Planning recommends approval contingent upon:

- 1) The receipt of a letter from Saraland Water & Sewer stating service availability
- 2) The receipt of No-Rise and Elevation Certificates, due to portions of the site being in an AE flood zone
- 3) The receipt of a notarized stormwater maintenance agreement.
- 4) Re-review and approval by the City Engineer

Motion was made by Wayne Lyssy, seconded by Wayne Biggs for favorable Site Plan Review for Mega Storage, for the use of a B2-zoned lot at 26 Everett Ave E, parcel 2202032000100.000, to be used as a storage facility, filed by owner Chase Lunn contingent upon the: 1) The receipt of a letter from Saraland Water & Sewer stating service availability 2) The receipt of No-Rise and Elevation Certificates, due to portions of the site being in an AE flood zone 3) The receipt of a notarized stormwater maintenance agreement. 4) Re-review and approval by the City Engineer. All in favor. Motion carried.

E – Recommendation to the City Council on the Petition for Rezoning of 304 Celeste Rd, Lot 8 Cleveland's 1st Addition to Saraland, parcels 1908330007006.000 & 1908330002029.01, approx. 6.4 acres, to be rezoned from R1 (Low Density Single Family Residential) to B2 (General Business) filed by owners Christopher & Darlena Mears

City Planner, Brendan Schwandner stated this property is currently an undeveloped and wooded lot. It abuts an existing B-2 zoned property to the West, and R-1 zoned property to the East. Planning considers this application favorably.

Motion was made by Wayne Lyssy, seconded by Julie McGuire for a favorable recommendation to the City Council on the Petition for Rezoning of 304 Celeste Rd, Lot 8 Cleveland's 1st Addition to Saraland, parcels 1908330007006.000 & 1908330002029.01, approx. 6.4 acres, to be rezoned from R1 (Low Density Single Family Residential) to B2 (General Business) filed by owners Christopher & Darlena Mears. All in favor. Motion carried.

F – Recommendation to the City Council on the Petition for Rezoning of 119 Second Ave, parcel 2202091002049.01, approx. 1 acre, to be rezoned from R1 (Low Density Single Family Residential) to R2 (Medium Density Single Family Residential) filed by owner Sam Heng

City Planner, Brendan Schwander recommends postponement of this application, due to not receiving payment for the application fee.

Motion was made by Wayne Biggs, seconded by Julie McGuire to postpone the the Petition for Rezoning of 119 Second Ave, parcel 2202091002049.01, approx. 1 acre, to be rezoned from R1 (Low Density Single Family Residential) to R2 (Medium Density Single Family Residential) filed by owner Sam Heng due to not receiving payment for the application fee. All in favor. Motion carried.

G – Recommendation to the City Council on the Petition for Annexation of 11170 Creax Rd Ext, parcel 1207350000002.002, approx. 1.4 acres, filed by owners Roger Nelson Jr & Joan Nelson

City Planner, Brendan Schwandner stated this application has been reviewed by planning staff, and a visit was made by public works superintendent Warren Stephens and city engineer Kirby Latham. Warren and Kirby made mention that the applicant should know the city is not responsible for maintenance of their driveway. The applicants have signed an annexation agreement acknowledging this, and as such, Planning sees no issue with this application and considers it favorably.

Motion was made by Wayne Lyssy, seconded by David Brown to recommend approval to the City Council on the Petition for Annexation of 11170 Creax Rd Ext, parcel 1207350000002.002, approx. 1.4 acres, filed by owners Roger Nelson Jr & Joan Nelson. All in favor. Motion carried.

H – Recommendation to the City Council on the Petition for Annexation of 10976 Celeste Rd, parcel 1307360000001.027 approx. 1.3 acres, filed by owners James & Carey Williamson

City Planner, Brendan Schwandner stated a visit was made by public works and the city engineer, who stated that there are signs of erosion along the front of the property, in the sloped area leading to the ditch. They also stated that the driveway has issues at the entrance area, and that there appears to be a business operating on the parcel behind this parcel, which uses the driveway on this parcel for access. The back parcel is not currently within the city limits, and both parcels are owned by the applicant. This lot would be zoned R1 by default should it be annexed.

Motion was made by Vincent Walker, seconded by David Brown to postpone the petition for Annexation of 10976 Celeste Rd, parcel 1307360000001.027 approx. 1.3 acres, filed by owners James & Carey Williamson. All in favor. Motion carried.

I – Recommendation to the City Council on the Petition for Annexation of 10840 Army Rd, parcel 1307360000013.014, approx. 5.7 acres, filed by owners Derek & Kasey Hanks

City Planner, Brendan Schwandner stated this application has been reviewed by planning staff, and a visit was made by public works and city engineer, who noted no issues. This lot would be zoned R1 by default should it be annexed. Planning provides a favorable recommendation.

Motion was made by Wayne Lyssy, seconded by Julie McGuire for a favorable recommendation to the City Council on the Petition for Annexation of 10840 Army Rd, parcel 1307360000013.014, approx. 5.7 acres, filed by owners Derek & Kasey Hanks. All in favor. Motion carried.

J – Recommendation to the City Council on the Petition for Annexation of 10884 Army Rd, parcel 1307360000013.016, approx. 4.3 acres, filed by owners Anthony & Mallory Williamson

City Planner Brendan Schwander stated this application has been reviewed by planning staff, and a visit was made by public works and city engineer, who mentioned that this property is a vacant lot, and that the homeowner must construct their own driveway to meet the existing right of way. This lot would be zoned R1 by default should it be annexed. Planning provides a favorable recommendation.

Motion was made by Wayne Lyssy, seconded by David Brown for a favorable recommendation to the City Council on the Petition for Annexation of 10884 Army Rd, parcel 1307360000013.016, approx. 4.3 acres, filed by owners Anthony & Mallory Williamson. All in favor. Motion carried.

K – Request for extension on the approval of the Preliminary Subdivision Plat Review of Phase I of the Bear Run Subdivision, granted on April 12, 2022

Motion was made by Wayne Lyssy, second by Mayor Howard Rubenstein, for favorable request to approve the request for extension on the approval of the Preliminary

Subdivision Plat Review of Phase I of the Bear Run Subdivision, granted on April 12, 2022. Set to expire April 12, 2024. All in favor. Motion carried.

L – Request for extension on the approval of the Preliminary Subdivision Plat Review of Phase II of the Bear Run Subdivision, granted on May 10, 2022

Motion was made by Wayne Biggs, seconded by Mayor Howard Rubenstein, for the favorable request to approve the request for extension on the approval of the Preliminary Subdivision Plat Review of Phase II of the Bear Run Subdivision, granted on May 10, 2022. Set to expire May 10, 2024. All in favor. Motion carried.

There being no further business to come before the Planning Commission, the meeting adjourned at 6:59 p.m.

**ACCEPTED AND APPROVED:**



Wayne E. Biggs

B. Andrews

Scott J.

A. Rubenstein



