

The Saraland Planning Commission convened in regular session on November 10, 2020 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  
Secretary Julie McGuire  
Wayne Biggs  
Barry Andrews  
David Brown  
Wayne Lyssy  
Austin Sealey

Absent: Mayor Howard Rubenstein

Others present: D. Logan Anderson, City Planner; Brooke Miller, Building Department; Andy Rutens, City Attorney.

Motion was made by Barry Andrews to approve the minutes of the October 13, 2020 meeting, seconded by Wayne Lyssy. Motion carried.

Motion was made by Wayne Biggs to approve the agenda for the November 10, 2020 meeting, seconded by Wayne Lyssy. Motion carried.

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

Invocation by Wayne Biggs

## **NEW BUSINESS:**

### **PRELIMINARY/FINAL PLAT – STINSON ESTATES SUBDIVISION**

(SOUTHWEST CORNER OF SCOTT LINDSAY DRIVE AND LOWELL LANE)

PUBLIC HEARING TO CONSIDER THE REQUEST FOR REVIEW OF A PRELIMINARY/FINAL PLAT PROPOSING TWO (2) LOTS ON 8.18± ACRES, FILED BY PROPERTY OWNERS SHAWN AND BRITTANY STINSON.

Chairman Scooter Thronson asked for comments from D. Logan Anderson, City Planner. Mr. Anderson described the request and recommended Tentative Approval of the Preliminary/Final Plat, subject to: 1) Revision of the plat to correct the name of Scott Lindsay Road to Scott Lindsay Drive; 2) Placement of a note on the revised plat stating Lowell Lane is privately maintained and not the responsibility of the State of Alabama, Mobile County, or the City of Saraland; 3) Revision of the plat to indicate that the right-of-way along Lowell

Lane is private, not public; 4) Revision of a note on the plat regarding access management to correct the name of Scott Lindsay Road to Scott Lindsay Drive, and to state that access to Scott Lindsay Drive shall be approved by Mobile County (not the Saraland Building Department); 5) Provision of proof that Lot 2 will have adequate access to a street right-of-way or revise the plat to depict an ingress/egress easement providing Lot 2 with access to a street right-of-way through adjacent property; 6) Revision of a note on the plat regarding detention facilities to state that such facilities are also not the responsibility of the State of Alabama or Mobile County (in addition to the City of Saraland); 7) Placement of a note on the revised plat to state that development shall be designed to comply with The Mobile County Flood Damage Prevention Ordinance, and may require submission of certification from a licensed engineer certifying that the design complies with the Mobile County Flood Damage Prevention Ordinance prior to the issuance of any permits; 8) Placement of a note on the revised plat stating "Mobile County Engineering Department Pursuant to Sec. 11-52-30(g) No Easement or R-O-W Accepted for Maintenance"; 9) Revision of the certification block for the County Engineer to replace "Building Official" with "Saraland Planning Commission"; 10) Revision of the certification block for the property owners to state the plat is being accepted by the owners of the property (not its managers); 11) Revision of the legal description of the property to correct the name of Scott Lindsay Road to Scott Lindsay Drive, and to address the deficiencies noted by Mobile County; 12) Provision of one (1) copy of the recorded plat to the Saraland Building Department; and, 13) Compliance with all other applicable Codes and Ordinances.

The proper notices were sent advertising the public hearing, and Chairman Scooter Thronson opened the floor for public hearing. The public hearing was closed.

Motion was made by Wayne Biggs, seconded by Julie McGuire, to approve the Preliminary/Final Plat of Stinson Subdivision, filed by property owners Shawn and Brittany Stinson, subject to staff's recommendations. Motion carried.

#### **PRELIMINARY/FINAL PLAT – ADDITION TO LAKESHIRE SUBDIVISION**

10994 CELESTE ROAD

(EAST SIDE OF CELESTE ROAD, 1,640'± NORTH OF J.C. MAPLES ROAD)

PUBLIC HEARING TO CONSIDER THE REQUEST FOR REVIEW OF A PRELIMINARY/FINAL PLAT PROPOSING FOUR (4) LOTS ON 57.57 ± ACRES, FILED BY AUSTIN ENGINEERING COMPANY, INC.

Chairman Scooter Thronson asked for comments from D. Logan Anderson, City Planner. Mr. Anderson described the request and recommended Tentative Approval of the Preliminary/Final Plat, subject to: 1) Placement of a note on the revised plat stating, "For the location of all utilities see construction plans"; 2) Placement of a note on the revised plat stating that any proposed detention facilities, common areas and wetlands shall be the responsibility of the property owner(s), and not the responsibility of the City of Saraland or Mobile County; 3) Provision of one (1) copy of the recorded plat to the Saraland Building Department; and, 4) Compliance with all other Codes and Ordinances.

The proper notices were sent advertising the public hearing, and Chairman Scooter Thronson opened the floor for public hearing. The public hearing was closed.

Motion was made by Wayne Lyssy, seconded by David Brown, to approve the Preliminary/Final Plat of Addition to Lakeshire Subdivision, filed by Austin Engineering Company, Inc., subject to staff's recommendations. Motion carried.

**PRELIMINARY/FINAL PLAT – THE POINT SUBDIVISION**

(EAST SIDE OF CELESTE ROAD, 155'± EAST OF THE TERMINUS OF CELESTE COURT, A PRIVATE ROAD)

PUBLIC HEARING TO CONSIDER THE REQUEST FOR REVIEW OF A PRELIMINARY/FINAL PLAT PROPOSING FOUR (4) LOTS ON 20.64± ACRES, FILED BY PROPERTY OWNERS JIM AND JACKIE MOORE.

Chairman Scooter Thronson asked for comments from D. Logan Anderson, City Planner. Mr. Anderson described the request and recommended that review of the Preliminary/Final Plat be deferred to the January 12, 2021 meeting, to allow the applicant time to make following revisions: 1) Revise the request to incorporate the adjacent Celeste Court Subdivision to accommodate the addition of the proposed private road onto the property, including the provision of additional mailing labels and fees to re-advertise the public hearing; 2) Revise the location of the intersection of the proposed private road to better facilitate traffic safety; 3) Place a note on the revised plat stating that all common areas, and ingress/egress and utility easements shown herein are not dedicated, donated, nor given for use by the general public, but shall be for the common use and private enjoyment of the Lot Owners of The Point Subdivision; 4) Place a note on the revised plat stating that if the private road is ultimately dedicated for public use and maintenance, 100-percent of the cost of the improvements required to bring the road up to the prevailing standards shall be assessed to the property owner(s) at the time the private road is dedicated, and that said assessment shall run with the land to any subsequent property owners; 5) Place a note on the revised plat stating no structures shall be placed or erected within any easement; 6) Place a note on the revised plat stating "For the location of all utilities see construction plans"; 7) Place a note on the revised plat stating any proposed detention facilities, common areas, and wetlands shall be the responsibility of the property owner(s), and not the responsibility of the City of Saraland; and, 8) Place a note on the revised plat stating the presence of wetlands indicate that the area may be environmentally sensitive therefore the approval of all applicable federal, state and local agencies may be required prior to the issuance of any permits or land disturbance activities.

Mr. Anderson suggested that if the Planning Commission approves the Preliminary/Final Plat, it should be subject to the requested revisions as well as the following: 1) Provision of at least a subdivision application to revise the plat of Celeste Court Subdivision to depict the proposed ingress/egress/utilities easement; 2) Provision of certification from a reputable Geotechnical Engineering service of an acceptable load test of the private road indicating it is stable and capable of supporting the City's emergency response vehicles, prior to signing of the plat; 3) Provision of a legal document prior to signing of the plat to run as a covenant with the land

providing for continuing maintenance of the private road by an owners' association, or other entity, granting right of ingress and egress for emergency and utility maintenance vehicles, and holding harmless the governing body from damages to any owner within the subdivision arising, or which may arise, out of the existence of the private road. This document shall be approved by the City Attorney or their designee as to form and legality and shall be properly executed and recorded simultaneously with the Final Plat in the records of Mobile County Probate Court. Furthermore, each and every owner of property abutting upon and with legal access to the private road shall be a party to such document and agreement; 4) Placement of a sign made to City standards on the property at the earliest convenience with the road name and identifying it as a private road; 5) Approval of the Planned Unit Development; 6) Provision of two (2) copies of the recorded plat to the Saraland Building Department; 7) Compliance with Engineering comments; 8) Compliance with Fire Department comments; and, 9) Compliance with all other applicable Codes and Ordinances.

The applicant was agreeable to postponing the application until the December 8, 2020 meeting and stated they will provide all requested documentation to incorporate the adjacent subdivision into the request.

Motion was made by Wayne Biggs, seconded by David Brown, to postpone review of the Preliminary/Final Plat of The Point Subdivision until the December 8, 2020 meeting. Motion carried.

#### **PLANNED UNIT DEVELOPMENT – THE POINT SUBDIVISION**

(EAST SIDE OF CELESTE ROAD, 155'± EAST OF THE TERMINUS OF CELESTE COURT, A PRIVATE ROAD)

PUBLIC HEARING TO CONSIDER THE REQUEST FOR PLANNED UNIT DEVELOPMENT APPROVAL TO ALLOW A PRIVATE STREET SUBDIVISION, FILED PROPERTY OWNERS JIM AND JACKIE MOORE.

Chairman Scooter Thronson asked for comments from D. Logan Anderson, City Planner. Mr. Anderson described the request and recommended that review of the Planned Unit Development be deferred to the December 8, 2020 meeting, in conjunction with review of the Preliminary/Final Plat, to allow the applicant time to make following revisions: 1) Revise the request to incorporate the adjacent Celeste Court Subdivision to accommodate the addition of the proposed private road onto the property, including the provision of additional mailing labels and fees to re-advertise the public hearing; 2) Revise the location of the intersection of the proposed private road to better facilitate traffic safety; 3) Place a note on the revised plan stating that all common areas, and ingress/egress and utility easements shown herein are not dedicated, donated, nor given for use by the general public, but shall be for the common use and private enjoyment of the Lot Owners of The Point Subdivision; 4) Place a note on the revised plan stating that if the private road is ultimately dedicated for public use and maintenance, 100-percent of the cost of the improvements required to bring the road up to the prevailing standards shall be assessed to the property owner(s) at the time the private road is dedicated, and that said assessment shall run with the land to any subsequent property owners; 5) Place a note on the revised plat stating no structures shall be placed or erected within any easement; 6) Place a note on the revised plan

stating "For the location of all utilities see construction plans"; 7) Place a note on the revised plan stating any proposed detention facilities, common areas, and wetlands shall be the responsibility of the property owner(s), and not the responsibility of the City of Saraland; and, 8) Place a note on the revised plan stating the presence of wetlands indicate that the area may be environmentally sensitive therefore the approval of all applicable federal, state and local agencies may be required prior to the issuance of any permits or land disturbance activities

The applicant was agreeable to postponing the application until the December 8, 2020 meeting and stated they will provide all requested documentation to incorporate the adjacent subdivision into the request.

Motion was made by Wayne Biggs, seconded by David Brown, to postpone review of the Planned Unit Development application of The Point Subdivision application until the December 8, 2020 meeting. Motion carried.

Mr. Rutens, the City Attorney, requested the proposed private subdivision rules and regulations be placed on the December 8, 2020 agenda.

Mr. Biggs inquired whether Mr. Moore's applications would be affected by the moratorium. Mr. Rutens advised it would not.

There being no further business to come before the Planning Commission, the meeting adjourned at 6:10 p.m.

**ACCEPTED AND APPROVED:**











