

The Saraland Planning Commission convened in regular session on August 13, 2024, at the Saraland Municipal Court. The meeting was called to order at 6:13 p.m. by Chairman Scooter Thronson.

Roll call was as follows:

Present: Chairman Scooter Thronson  
Vice Chairman David Brown  
Mayor Dr. Howard Rubenstein  
Council Representative Wayne Biggs  
Chief Lee Smith  
Mr. Barry Andrews  
Doctor Wayne Lyssy  
Secretary Julie McGuire

Absent: Mr. Vincent Walker

Others present: Mike Black, Saraland Chief Building Official; Brendan Schwandner, Saraland City Planner; Andy Rutens, City Attorney, Jennifer Jemison, Zoning Inspector.

Motion was made by Dr. Wayne Lyssy, seconded by Mr. David Brown, to approve the August 13, 2024, Planning Commission agenda. All approved. Motion carried.

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

Mr. Wayne Biggs said the invocation.

#### **OLD BUSINESS:**

##### A. Review of the Draft City of Saraland Comprehensive Plan

Motion was made by Mayor Howard Rubenstein, seconded by David Brown to table this item. All approved. Motion carried

#### **NEW BUSINESS:**

##### A Site Plan Review for the Highway 158 Development, located on Industrial Pkwy, parcel 2203081000089.013, for the construction of a roadway and detention facilities on a B-2 zoned lot for a phased commercial development, filed by Huffman Land, LLC

This concerns the development of a private roadway and detention facilities at 1030 Industrial Pkwy, to accommodate proposed commercial developments planned for consideration at a later date. This property is currently zoned B-2 General Business and is

surrounded by B-2-zoned properties to the north/east/west, and M-1 zoned properties to the south. The site plan submittals were reviewed by Planning Staff, the Fire Inspector, and the City Engineer, and the applicant was sent letters regarding the findings of these reviews.

Planning recommends approval contingent upon: Letters from the appropriate utility providers stating service availability. Receipt of a notarized Maintenance Agreement for Stormwater Management Facilities prior to site disturbance. Review and approval of the revised submittals by the City Engineer

Councilmember Wayne Biggs questioned the traffic impact.

Christopher Huffman stated that he received ALDOT approval for access.

Motion was made by Doctor Wayne Lyssy, seconded by David Brown to approve this item contingent upon letters from the appropriate utility providers stating service availability. Receipt of a notarized Maintenance Agreement for Stormwater Management Facilities prior to site disturbance. Review and approval of the revised submittals by the City Engineer. All approved. Motion carried

Councilmember Wayne Biggs questioned the traffic impact.

- B Planning Approval for the use of a B-2 zoned lot at 28 East Everett Avenue, Lot 6 of the Everett Subdivision, as a sing-family residence, filed by Irby Holdings, LLC on behalf of Richard Allen Salter.

Items B through F are to consider the approval of single-family dwellings on each lot in a B-2 General Business district, a district which requires planning approval for single-family dwellings. The draft plan proposes 6-foot side setbacks on lots 6 through 9, and no side setbacks on lot 10. B-2 districts allow no side setbacks for lots abutting tother B-2 zoned lots. Chief Smith and Chief Sealy were consulted regarding the proposed setbacks, to which they stated that the fire code allows a 10 foot gap between residential homes, including overhangs and eves. The Building Department will ensure that this requirement is met upon review of the construction plans for each residence. Planning recommends approval of this application.

Motion was made by Doctor Wayne Lyssy, seconded by David Brown to approve this item. All approved. Motion Carried.

Mayor Howard Rubenstein mentioned that they will not receive a buffer protection in this zoned district.

C Planning Approval for the use of a B-2 zoned lot at 28 East Everett Avenue, Lot 7 of the Everett Subdivision, as a single-family residence, filed by Irby Holdings, LLC on behalf of Richard Allen Salter.

Motion was made by Doctor Wayne Lyssy, seconded by David Brown to approve this item. Councilmember Wayne Biggs voted no. Motion Carried.

D Planning Approval for the use of a B-2 zoned lot at 28 East Everett Avenue, Lot 8 of the Everett Subdivision, as a single-family residence, filed by Irby Holdings, LLC on behalf of Richard Allen Salter.

Motion was made by Doctor Wayne Lyssy, seconded by David Brown to approve this item. Councilmember Wayne Biggs voted no. Motion Carried.

E Planning Approval for the use of a B-2 zoned lot at 28 East Everett Avenue, Lot 9 of the Everett Subdivision, as a single-family residence, filed by Irby Holdings, LLC on behalf of Richard Allen Salter.

Motion was made by Doctor Wayne Lyssy, seconded by David Brown to approve this item. Councilmember Wayne Biggs voted no. Motion Carried.

F Planning Approval for the use of a B-2 zoned lot at 28 East Everett Avenue, Lot 10 of the Everett Subdivision, as a single-family residence, filed by Irby Holdings, LLC on behalf of Richard Allen Salter.

Motion was made by Doctor Wayne Lyssy, seconded by David Brown to give a favorable recommendation on it. Councilmember Wayne Biggs voted no. Motion Carried.

G Recommendation to the City Council on the Petition for Annexation of 9370 Celeste Road, parcel 1903070000018.000, approximately 33.00 acres, filed by Dwayne Smith.

Current use is Single Family Residential. Proposed zoning is R-1 Low Density Single Family Residential. No issues found following planning/engineering/public works/public safety reviews. Favorable Recommendation.

Motion was made by Doctor Wayne Lyssy, seconded by David Brown to give a favorable recommendation on item G. All approved. Motion Carried.

H Recommendation to the City Council on the Petition for Annexation of parcel 180112000002.002, located at the southeast corner of Celeste Road and Radcliff Road, approximately 1.61 acres, to be zoned B-2 (General Business), filed by Ascension Funeral Group, LLC

Current use is undeveloped. Proposed zoning is B-2 General Business. No issues found following planning/engineering/public works/public safety reviews. Regarding this item

and item I, the Public Works superintendent did mention that the owner has expressed concerns to the city about drainage being directed through the property as opposed to along the county-maintained right-of-way. However, the owner has submitted a notarized agreement acknowledging that the city makes no commitment to upgrade drainage by way of annexing the property.

Motion was made by Doctor Wayne Lyssy, seconded by David Brown for a favorable recommendation subject to the letter in writing to not hold the city responsible for the drainage and to be zoned B-2. All approved. Motion Carried.

I Recommendation to the City Council on the Petition for Annexation of parcel 1903070000010.000, Lot 1 of the North country Subdivision, approximately 1.90 acres, to be zoned B-2 (General Business), filed by Ascension Funeral Group, LLC

Current use is undeveloped. Proposed zoning is B-2 General Business. No issues found following planning/engineering/public works/public safety reviews. Regarding this item and item H, the Public Works superintendent did mention that the owner has expressed concerns to the city about drainage being directed through the property as opposed to along the county-maintained right-of-way. However, the owner has submitted a notarized agreement acknowledging that the city makes no commitment to upgrade drainage by way of annexing the property.

Motion was made by Doctor Wayne Lyssy, seconded by David Brown for a favorable recommendation subject to the letter in writing to not hold the city responsible for the drainage and to be zoned B-2. All approved. Motion Carried.

J Recommendation to the City Council on the Petition for Annexation of 11026 Army Road, parcel 1307350000004.003, approximately 0.92 acres, filed by Coy Brent Jones.

The current use is Single Family Residential. Proposed zoning is R-1 Low Density Single Family Residential. No issues found following planning/engineering/public works/public safety reviews.

Motion was made by Dr. Wayne Lyssy, seconded by Mr. David Brown, to give a favorable recommendation on item J. All approved. Motion carried.

K Recommendation to the City Council on the Petition for Annexation of parcel 1805220000009.000, located at 7901 Henry Morgan Road, approximately 2.06 acres, filed by Lamenda DeAnn Leech on behalf of Billie Ann Smith.

The current use is Single Family Residential. The proposed zoning is R-1 Low Density Single Family Residential. No issues found following planning/engineering/public works/public safety reviews. The existing roadway is an aggregate surfaced roadway. The applicant has submitted a notarized agreement acknowledging that the city makes no commitment to upgrade roadways by annexing properties, and that there may be an increase in response time in the event of an emergency.

Motion was made by Dr. Wayne Lyssy, seconded by Mr. David Brown, to give a favorable recommendation on item K. All approved. Motion carried.

- L Recommendation to the City council on the Petition for Annexation of parcel 1805220000010.001, located at 791 Henry Morgan Road, approximately 2.08 acres, filed by Lamenda DeAnn Leech on behalf of Billie Ann Smith.

The current use is Single Family Residential. The proposed zoning is R-1 Low Density Single Family Residential. No issues found following planning/engineering/public works/public safety reviews. The existing roadway is an aggregate surfaced roadway. The applicant has submitted a notarized agreement acknowledging that the city makes no commitment to upgrade roadways by annexing properties, and that there may be an increase in response time in the event of an emergency.

Motion was made by Dr. Wayne Lyssy, seconded by Mr. David Brown, to give a favorable recommendation on item L. All approved. Motion carried.

- M. Recommendation to the City Council on the Petition for Annexation of 7965 Henry Morgan Road, parcel 1806230000043.00, approximately 0.61 acres, filed by Judith Alison Sellers Cook.

The current use is Single Family Residential. The proposed zoning is R-1 Low Density Single Family Residential. This is contingent upon approval of Item K. No issues were found following planning/engineering/public works reviews. Chief Sealey expressed concern with there only being one hydrant on the long stretch of road, and wanted to verify adequate water flow to the hydrant. Chad, Superintendent with Kushla Water stated that there are no water flow issues to the hydrant and that he does not foresee any issues with fire suppression. The existing roadway is an aggregate surfaced roadway. The applicant has submitted a notarized agreement acknowledging the at the city makes no commitment to upgrade roadways by annexing properties, and that there may be an increase in response time in the event of an emergency. A portion of the house is located on the adjacent parcel. I ran this by fire safety as well to verify that this would not be an issue with regards to emergency response. Chief Lovitte stated that there would be no issues with emergency response.

Motion was made by Dr. Wayne Lyssy, seconded by Mr. David Brown, to give a favorable recommendation on item L contingent upon the approval of K and subject to the letter from Kushla Water stating there is adequate water supply for a fire. All approved. Motion carried

N Consider a resolution recommending the City Council adopt a six month moratorium on PUD application of more than 100 units or dwellings and placing a six month moratorium on the consideration of subdivision applications of 100 lots or more.

Motion was made by Dr. Howard Rubenstein, seconded by Mr. Barry Andrews, to approve item N. Councilmember Wayne Biggs voted no. Motion carried

Motion was made by Wayne Biggs to table Item N. Being no second the motion died.

There being no further business to come before the Planning commission, the meeting adjourned at 6:42 p.m.

**ACCEPTED AND APPROVED:**

