

The Saraland Planning Commission convened in regular session on August 8, 2023, at the Saraland City Court Room. The meeting was called to order at 5:50 p.m. by Chairman Scooter Thronson.

Roll call was as follows:

Present: Chairman Scooter Thronson
Mayor Howard Rubenstein
City Council Representative Wayne Biggs
Capt. Clayton Horton
Mr. Barry Andrews
Dr. Wayne Lyssy

Absent: Vice Chairman David Brown
Secretary Julie McGuire
Mr. Vincent Walker

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 July 11, 2023, regular meeting, seconded by Mr. Barry Andrews. Motion carried.

A motion was made by Dr. Wayne Lyssy, to approve the agenda for the August 8, 2023, regular meeting, seconded by Mr. Barry Andrews. Motion carried.

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

Invocation by Councilman Wayne Biggs

OLD BUSINESS:

A – Planning Approval for Harris Road Duplexes, Lot 36 of Adams and Harris Addition to Saraland, for the use of a B2-zoned lot as a duplex, filed by Ulrich Investment Properties, LLC

City Planner, Brendan Schwandner stated old items A and B first appeared on the June agenda but were postponed to allow more time to look into a prescriptive easement on the property. This application concerns a proposal to construct a duplex approx. 2,400 sq. ft. in size at 129 Harris Ave. The lot is currently zoned B-2 and is surrounded by B2 zoned lots. This lot is categorized as “mixed use” in the City of Saraland Master Plan.

Motion was made by Dr. Wayne Lyssy, seconded by Mr. Barry Andrews to approve the Planning Approval for Harris Road Duplexes, Lot 36 of Adams and Harris Addition to Saraland, for the use of a B2-zoned lot as a duplex, filed by Ulrich Investment Properties, LLC subject to the City Council adopting a resolution disclaiming any interest in the trail contained on the lot. All in favor. Motion carried.

B – Site Plan Review for Harris Road Duplexes, Lot 36 of Adams and Harris Addition to Saraland, for the use of a B2-zoned lot as a duplex, filed by Ulrich Investment Properties, LLC

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Motion was made by Dr. Wayne Lyssy, seconded by Mr. Barry Andrews to approve the Site Plan Review for Harris Road Duplexes, Lot 36 of Adams and Harris Addition to Saraland, for the use of a B2-zoned lot as a duplex, filed by Ulrich Investment Properties, LLC subject to the City Council adopting a resolution disclaiming any interest in the trail contained on the lot. All in favor. Motion carried.

C – Consider Amendment to the Site Plan for Saraland Mobile Home Park, 247 Saraland Ave, parcel 1908330008022.001, filed by Bryce McMurry, Kinetic Capital V LLC

City Planner Brendan Schwandner stated this item was postponed from the June agenda to allow more time to research the septic system at the property and determine whether it complies with City and County Health Department regulations. Per Mr. Schwandner, we are still in the process of making a determination on this matter, so Planning Department recommended postponing this item for the next meeting.

Motion was made by Dr. Wayne Lyssy, seconded by Mr. Barry Andrews to postpone the Amendment to the Site Plan for Saraland Mobile Home Park, 247 Saraland Ave, parcel 1908330008022.001, filed by Bryce McMurry, Kinetic Capital V LLC. All in favor. Motion carried.

NEW BUSINESS:

A – Public Hearing & Final Planned Unit Development Review for the proposed 2 phase, 207 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 stated the sketch plan and preliminary PUD applications for this proposal received approval at the April 2023 Planning Commission meeting, contingent upon the provision of an updated traffic study which includes traffic generated from the SportsPlex project, to the satisfaction of the City Engineer. The completed traffic study was provided on May 31, and reviewed and accepted by the City Engineer. The traffic study recommendations call for the provision of northbound and southbound lanes on Bear Run Blvd entering Celeste Rd, as well as a northbound right turn lane on Celeste Rd entering Bear Run Blvd, and a southbound left turn lane on Celeste Road entering Bear Run Blvd. Mr. Schwandner stated on June 8, the City Council approved the rezonings of this property from R-1 to R-1A, bringing the proposal into compliance with the density and lot size requirements as set forth in the LUDO. The proposal consists of 98.85 acres of developed area and 40.28 acres of open space, including 16.03 acres of recreational space intended for a preservation area containing multi-use trail and educational signage. The final PUD submittals were reviewed for public safety compliance by Capt. Horton, who noted no issues. The City engineer recommended approval on the condition that the recommendations of the traffic study were incorporated into the Final PUD submittals. As such, Planning recommends approval contingent upon provision of a revised Final PUD layout plan which contains a note or depiction of the recommendations of the traffic study.

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

Motion was made by Dr. Wayne Lyssy, seconded by Mr. Barry Andrews to approve the Final Planned Unit Development Review for the proposed 2 phase, 207 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. All in favor. Unanimous. Motion carried.

B – Public Hearing & Preliminary/Final Subdivision Plat Review for the 2-lot subdivision “William Herring Sr. Subdivision”, concerning parcel 1307350000006.000, approx. 1.39 acres total, filed by William Price Herring, Jr. & Emma Teresa Herring

City Planner Brendan Schwander described the purpose of this application and stated this would create 2 lots approx. 0.7 acres in size each fronting Fillingim Road. This application complies with all relevant setback, size, and density requirements. Planning recommends approval of this application.

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

Motion was made by Dr. Wayne Lyssy seconded by Captain Clayton Horton to approve the Preliminary/Final Subdivision Plat Review for the 2-lot subdivision “William Herring Sr.

Subdivision", concerning parcel 1307350000006.000, approx. 1.39 acres total, filed by William Price Herring, Jr. & Emma Teresa Herring. All in favor. Unanimous. Motion carried.

C – Public Hearing & Preliminary/Final Subdivision Plat Review for the 2-lot subdivision "Heng Addition to Blackwell Court", concerning parcel 2202091002049.01, approx. 0.92 acres total, filed by Sam Heng

City Planner Brendan Schwandner stated the property owner submitted an application to rezone this property from R1 to R2, for the May 2023 Planning Commission meeting, with the intent to bring this proposed plat into compliance with the size and setback requirements set forth in the Land Use and Development Ordinance. The Planning Commission gave a favorable recommendation to the City Council on the rezoning, and it was subsequently approved by the City Council on June 22nd. This application complies with all relevant setback, size, and density requirements, therefore Planning gives a favorable recommendation.

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

Motion was made by Dr. Wayne Lyssy, seconded by Captain Clayton Horton to approve the Preliminary/Final Subdivision Plat Review for the 2-lot subdivision "Heng Addition to Blackwell Court", concerning parcel 2202091002049.01, approx. 0.92 acres total, filed by Sam Heng. All in favor. Unanimous. Motion carried.

D – Planning Approval for Miracle Temple Apostolic Church, for the use of an R-1-zoned lot at 407 Cleveland Rd, parcel 2202043002007.000, to be used as a daycare center, filed by Angel Harris

City Planner Brendan Schwander stated this property is located within an R1 Residential District – a district which requires planning approval be granted for day care centers to be operated within. Planning recommends approval of this application, with the condition that all activities are carried on in an enclosed building or fenced yard, meets all fire code, gets the appropriate business license and that all applicable federal, state, and local requirements are met.

Motion was made by Dr. Wayne Lyssy, seconded by Mr. Barry Andrews to approve the Planning Approval for Miracle Temple Apostolic Church, for the use of an R-1-zoned lot at 407 Cleveland Rd, parcel 2202043002007.000, to be used as a daycare center, filed by Angel Harris. All in favor. Motion carried.

E – Site Plan Review for New Pilgrim Baptist Church, for the use of an R1- zoned lot at 205 Shell St, parcel 1909324000044.007, to be used as a church, filed by Clyde Ashley & Glendon Prewitt Contracting, Inc as authorized agents for New Pilgrim Missionary Baptist Church, Inc.

City Planner Brendan Schwandner stated Item E concerns a proposal to utilize roughly 9 acres of land for a church on Shell St. This property is currently zoned R-1, a district which requires churches to be granted special exception approval by the Board of Adjustments. The said special exception approval was granted at the February 7, 2023, meeting of the Board of Adjustments with the contingency that the property owner obtains a legal access agreement from the City of Saraland to allow for ingress/egress through this parcel. This is due to the site plan proposing access to Shell St through a parcel which is currently owned by the City of Saraland, and currently contains a dirt path leading back to the subject lot. No record has been found or provided of an existing easement on this property. This location sits on the borderline between the regional commercial and low-density residential categorizations as defined in the Comprehensive plan. This application was reviewed by Public Safety and the City Engineer. Public Safety saw no issues with the proposal, and the drainage concerns brought forth by the City Engineer were addressed prior to the meeting. Planning recommends approval contingent upon the obtainment of an agreement between the property owner and the City of Saraland which addresses the means of ingress/egress for this property, provision of a note on the construction plans stating that outdoor lighting of all types shall be directed as to reflect away from all residential dwellings and public Right of Way, and provision of a letter from Saraland Water & Sewer stating service availability.

Motion was made by Dr. Wayne Lyssy seconded by Captain Clayton Horton to approve the Site Plan Review for New Pilgrim Baptist Church, for the use of an R1- zoned lot at 205 Shell St, parcel 1909324000044.007, to be used as a church, filed by Clyde Ashley & Glendon Prewitt Contracting, Inc as authorized agents for New Pilgrim Missionary Baptist Church, Inc. contingent upon the applicant entering into an agreement with the City of Saraland concerning the construction and maintenance of the ingress and egress over the city property. All in favor. Motion carried.

F – Recommendation to the City Council on the Petition for Rezoning of 316 Villa Oaks Dr, parcel 2202043001052.000, approx. 0.82 acres, to be rezoned from R-1 (Low Density Single Family Residential) to R-1A (Single Family Patio Residential), filed by James R. Pinion & Kathleen J. Pinion

City Planner Brendan Schwandner stated this property is currently zoned R-1 Low Density Single Family Residential and abuts R-1 zoned properties on all sides. The current use is single family residential. This location is classified as Enhanced Original Saraland in the Comprehensive Plan, a classification which promotes development which will enhance the quality of life of the area by focusing on proximity to services, community amenities, and major roads.

Mr. James R. Pinion, the property owner, spoke in reference to his intentions. He would like to build a house on the adjoining property and the width of the lot is the reason to rezone it to R-1A.

The motion was made by Mayor Howard Rubenstein, seconded by Dr. Wayne Lyssy to provide an unfavorable recommendation due to the fact of it changing the characteristic of the neighborhood since all the properties are currently zoned R-1. Mr. Wayne Biggs recused himself due to his long personal history with Mr. Pinion. All members were in favor of providing an unfavorable recommendation. Unanimous. Motion denied.

NEW BUSINESS:

There being no further business to come before the Planning Commission, the meeting adjourned at 6:15 p.m.

ACCEPTED AND APPROVED: