

**PLANNING COMMISSION MEETING MINUTES
JACKSONVILLE, ALABAMA
July 19, 2018**

The Planning Commission of the City of Jacksonville, Alabama, met in regular session on July 19, 2018, at 6:00 p.m. in the Meeting Room at City Hall Annex #1, 300 Church Avenue, SE. Members present were: T. L. Thompson - Chairman, Penn Wilson – Secretary, Coty Galloway, Ronnie Thomas, Herschel Harris, Jennifer Sims, Jarrod Simmons, Kelly Ryan, and Zach Hood. City Staff in attendance was Mark Stephens - Planning, Development & Stormwater Director and Mark Williams – Building Inspector.

The meeting began with Mark Stephens requesting that an amendment be made to the Agenda by adding Item 2a. - Rescind the June 21, 2018 “Subject To” approval of the Preliminary Plat and Improvements Plan for Ten Oaks Estates and Item 2b. – Consideration of the Preliminary Plat and Improvements Plan for Ten Oaks Estates.

A motion was made by Jarrod Simmons, seconded by Coty Galloway to adopt the Agenda as amended. Upon vote on the motion, the following votes were recorded:

Yeas: 8; Nays: 0. The Chairman announced the motion carried.

ITEM 1 - MINUTES.

A motion was made by Penn Wilson, seconded by Ronnie Thomas to dispense with the reading of the minutes of the regular meeting of June 21, 2018 and approve them as distributed. Upon vote on the motion, the following votes were recorded:

Yeas: 8; Nays: 0. The Chairman announced the motion carried.

ITEM 2 – REQUEST FOR STREET AND ALLEY VACATION – A PORTION OF UNIMPROVED CLEVELAND STREET, NW AND A PORTION OF UNIMPROVED ALLEYS THAT LIE NORTH AND SOUTH OF SAID CLEVELAND STREET, NW.

One of the Petitioners, John E. Trantham was present. The Petitioners were represented by P.J. Hammett, Attorney. Ms. Hammett explained that the main reason for the request to vacate a portion of the unimproved street and alley was that the surrounding property is a mobile home park and some of the mobile homes have been located within the street right-of-way and alley for many years and the Petitioners just wanted to get the encroachment situation cleared up.

The Administrative Review did not reveal any need for drainage easements, however there will need to be a utility easement reserved for any utilities that are located within the areas to be vacated. The utility easement will be made part of the Quit Claim Deed

that will be executed in the future by the Mayor, if the vacation is approved by the City Council.

Mark Stephens - Planning, Development & Stormwater Director, informed the Planning Commission that there was a mobile home located within a portion of unimproved Cleveland Street, NW that is not to be vacated. Various members of the Planning Commission were concerned with this situation and asked Mr. Trantham to coordinate with the Building Department in regard to removing the mobile home from the street right-of-way. Mr. Trantham asked, in lieu of moving this mobile home could this portion of the street right-of-way be vacated too. Mr. Stephens informed Mr. Trantham that this street right-of-way is necessary for future access of the property to the west. Mr. Stephens stated that the Staff had no comments and recommended approval of the Street and Alley Vacation. He also stated that a report will be sent to the City Council for them to take further action.

Planning Commission Member Kelly Ryan joined the meeting at 6:12 pm during the discussion.

After discussion, a motion was made by Jarrod Simmons, seconded by Herschel Harris to send a report to the City Council stating the Planning Commission offers no objection to the Request for Street and Alley Vacation and the Planning Commission grants approval for the request to be considered by the City Council in accordance with Chapter 21 of the Code of Ordinances of the City of Jacksonville, Alabama. Upon vote on the motion, the following votes were recorded:

Yeas: 8; Nays: 0; Abstentions 1. The Chairman announced the motion carried.

ITEM 2a (ADDED) – RESCIND THE JUNE 21, 2018 “SUBJECT TO” APPROVAL OF THE PRELIMINARY PLAN AND IMPROVEMENTS PLAN FOR TEN OAKS ESTATES.

Mark Stephens - Planning, Development & Stormwater Director, informed the Planning Commission that the Applicant did not meet all of the provisions of the “Subject To” approval from the June 21, 2018 Planning Commission meeting.

After discussion, a motion was made by Kelly Ryan, seconded by Ronnie Thomas to rescind the “Subject To” approval due to all provisions not being met. Upon vote on the motion, the following votes were recorded:

Yeas: 9; Nays: 0. The Chairman announced the motion carried.

ITEM 2b (ADDED) – CONSIDERATION OF PRELIMINARY PLAT AND IMPROVEMENTS PLAN – TEN OAKS ESTATES.

Mark Stephens - Planning, Development & Stormwater Director, stated that the Planning and Building Department had received a revised Preliminary Plat and Improvements Plan that adequately addressed all Staff comments. He also stated that the Applicant had provided proof of submitting for an ADEM Stormwater permit and an ALDOT permit is not going to be required for the sidewalk connection.

After discussion, a motion was made by Kelly Ryan, seconded by Coty Galloway to approve the revised Preliminary Plat and Improvements Plan. Upon vote on the motion, the following votes were recorded:

Yeas: 9; Nays: 0. The Chairman announced the motion carried.

ITEM 3 - PUBLIC HEARING FOR ZONING AMENDMENT – INITIATED BY THE PLANNING COMMISSION THAT WOULD COMPLETELY AMEND AND REPLACE THE EXISTING ZONING ORDINANCE.

The Chairman announced it was the time and place to conduct a Public Hearing to consider a Zoning Amendment initiated by the Planning Commission that would completely amend and replace the existing Zoning Ordinance.

A copy of the existing and proposed new zoning ordinance was made available to the public on the City's Website and from the City Clerk's Office.

A Legal Notice was published in the July 6, 2018 edition of The Anniston Star and the July 11, 2018 edition of the News Journal, serving as public notice.

The objective of the Public Hearing was for the Planning Commission to respond to any questions and comments from the public relating to this Zoning Amendment and to discuss any additional changes.

The Chairman announced that the Public Hearing was open for the Planning Commission to present the Zoning Amendment and to respond to questions and comments from the public.

Mark Stephens – Planning, Development & Stormwater Director, presented the Zoning Amendment to the public on behalf of the Planning Commission. Mr. Stephens stated that this document had been in discussions for about two years and he was glad that it was finally to the point of a Public Hearing and a vote.

Public Comments – Listed below are those that commented along with their comments:

- 1) Nancy Gillespie – 1312 Amanda Lane, SW, Likes the proposed new Zoning Ordinance. Concerned with the enforcement.
- 2) Stan Bush (360 Media) – Oxford, Al., Concerned with the proposed new billboard regulations in regard to location and size.
- 3) Greg Morrow (360 Media) – Piedmont, Al., Concerned with the proposed new billboard regulations in regard to location and size. He was wondering why the City allowed a billboard to be expanded during the current Moratorium period and questioned if the City was trying to limit competition.
- 4) Stan Barnwell (JB Auto Sales) - 900 Pelham Road South, Concerned with proposed new billboard regulations in regard to location and size. He is currently working with 360 Media to get a digital billboard installed on his property.
- 5) Mickey Shadrix (360 Media) – Anniston, Al., Concerned with proposed new billboard regulations in regard to location and size.
- 6) Phillip Pritchett, Concerned how the proposed new Zoning Ordinance would affect subdivision signs and residential construction.
- 7) P.D. Pritchett – Anniston, Al., Had general questions concerning the proposed new Zoning Ordinance. Had questions concerning how the Ordinance addresses rebuilding existing structures that were damaged more than 50% and damaged due to “Acts of God”.
- 8) Janet Brittain – Anniston, Al., Had questions concerning how the proposed new Zoning Ordinance addresses rebuilding existing structures that are destroyed due to “Acts of God”. Stated that she liked the new regulations concerning parking in front yards being prohibited, but was concerned about who was going to enforce it. Stated that she wants the City to make changes to the maximum occupancy regulations in order to allow more occupants in a dwelling due to the tornado event. She said this change should only be for a short time until the damage is corrected.

Upon no further comments, the Chairman announced the Public Hearing closed.

ITEM 4 – CONSIDERATION OF ZONING AMENDMENT – INITIATED BY THE PLANNING COMMISSION THAT WOULD COMPLETELY AMEND AND REPLACE THE EXISTING ZONING ORDINANCE.

Planning Commission members discussed the various concerns and questions that the public had during the Public Hearing.

Mark Stephens - Planning, Development & Stormwater Director asked the Planning Commission members if there were any additional topics that they wanted to discuss or any changes they wanted to make. Jarrod Simmons stated that the City has a small amount of property that is zoned B-1 and the B-1 Zoning District regulations impose limitations on the development of that property. Mr. Simmons stated that he would be in favor of revising the B-1 Zoning District regulations to be the same as the B-2 Zoning

District regulations. Several Planning Commission members spoke in favor of his suggestion.

Mark Stephens - Planning, Development & Stormwater Director, stated that the Staff had no comments and recommended approval of the proposed new Zoning Ordinance. He also stated that a report will be sent to the City Council along with a copy of the proposed new Zoning Ordinance for them to take further action.

After discussion, a motion was made by Penn Wilson, seconded by Herschel Harris to recommend approval of the Zoning Amendment "Subject To" revising the B-1 Zoning District regulations to be the same as the B-2 Zoning District regulations. Upon vote on the motion, the following votes were recorded:

Yeas: 9; Nays: 0. The Chairman announced the motion carried.

ITEM 5 – CITIZENS' COMMENTS.

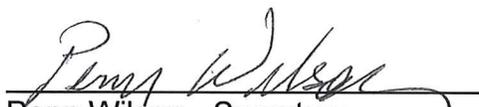
There were no citizens' comments

ITEM 6 - PLANNING.

The Planning Commission requested that Mark Stephens prepare a "draft" letter to the City Council that requests additional personnel be hired as necessary to adequately provide the enforcement of the City's Codes of Ordinances. The letter will be presented to the Planning Commission at the August 23, 2018 meeting for review and approval.

Mark Stephens thanked the Planning Commission members for their time and hard work they put in during the past two years updating the proposed new Zoning Ordinance.

There being no further business, the meeting adjourned at 8:15 p.m..


Penn Wilson - Secretary


T. L. Thompson – Chairman

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