

**PLANNING COMMISSION MEETING MINUTES
JACKSONVILLE, ALABAMA
June 20, 2019**

The Planning Commission of the City of Jacksonville, Alabama, met in regular session on June 20, 2019, at 6:00 p.m. in the Meeting Room at City Hall Annex #1, 300 Church Avenue, SE. Members present were: Ronnie Thomas - Chairman, Penn Wilson – Secretary, Kelly Ryan, Jennifer Sims, Herschel Harris, Jarrod Simmons, Albertha Grant, and T.L. Thompson. City Staff in attendance was Mark Stephens - Planning, Development & Stormwater Director.

ITEM 1 - MINUTES.

A motion was made by Jarrod Simmons, seconded by Kelly Ryan to dispense with the reading of the minutes of the regular meeting of April 18, 2019 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.

Note: There was no meeting held in May 2019.

ITEM 2 – REQUEST FOR STREET VACATION (UNIMPROVED ESTES STREET, NW THAT LIES WEST OF SMITH CIRCLE, NW).

Two of the Petitioners, Bob N. Austin and wife Regina S. Austin were present. Mr. Austin explained that he and his wife are the property owners to the north and south. He stated that the unimproved right-of-way is situated very close to the existing house to the north, and the right-of-way has been maintained and utilized as a yard by the property owners for many years. He believes that there would be no reason that the City or anyone else would need to construct a road thru this right-of-way. Therefore, he requests that the City vacate the right-of-way in order for it to officially become their property to maintain and use.

The Administrative Review did not reveal any need for drainage or utility easements.

Mark Stephens, informed the Planning Commission that there were actually two other petitioners (Eugene S. Sutley and Randy Beshears) that are the property owners to the west and they both acknowledged on the Petition for Street Vacation that they will not receive any ownership to any part or portion of the vacated unimproved Estes Street, NW. Finally, Mr. Stephens stated that the Staff had no comments and recommended approval of the Street Vacation. He also stated that a report will be sent to the City Council for them to take further action.

After discussion, a motion was made by Kelly Ryan, seconded by Herschel Harris to send a report to the City Council stating the Planning Commission offers no objection to the Request for Street 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. The Chairman announced the motion carried.

ITEM 3 – PROPOSED FENCE INSTALLATION – STRUTS RESTAURANT.

David Adams (applicant) was not present, however Ryan Fritts spoke on his behalf. Mr. Fritts explained that they wanted to install a fence at the restaurant in order to enclose an area for an artificial turf “putting green”, and “corn hole game” to be used by their customers. By using photographs, Mr. Fritts described the area that they wanted to enclose with a fence. The area that Mr. Fritts described was the entire grassed area from the building to the sidewalk at the corner of Forney Avenue, NW and Mountain Street, NW. He stated that they did realize that the area requested to be fenced does include a portion of the street right-of-way. He further stated that because the right-of-way line basically runs through the middle of the grassed area there would not be enough room to install the “putting green” and “corn hole game” only within their property.

Various Planning Commission members discussed the Staff Review comments in regard to not allowing the use of the street right-of-way, and whether or not they could approve a fence to be located within a street right-of-way. Several of the Planning Commission members told Mr. Fritts that the idea of providing the activities was a great. However, they had concerns about the fence and the activities being located within the street right-of-way.

Mark Stephens, also told Mr. Fritts that the idea of providing the activities was great. But, the Staff could not recommend approval of the fence or activities within the street right-of-way. Mr. Stephens also stated his concern with the possibility of customers having open-containers of alcohol within the portion of the proposed fence that would lie within the street right-of-way. Finally, Mr. Stephens informed the Planning Commission that if a request is disapproved, the applicant may appeal the decision to the City Council as per Section 24-479, *Appeals*, of the City’s Code of Ordinances.

After discussion, a motion was made by Kelly Ryan, seconded by T.L. Thompson to approve the installation of the fence only within their property and not within the street right-of-way. Upon vote on the motion, the following votes were recorded:

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

ITEM 4 – CITIZENS’ COMMENTS. There were no citizens’ comments.

ITEM 5 - PLANNING. Mark Stephens gave the Planning Commission a status report on where the City Council is in regard to the proposed Zoning Ordinance update.

There being no further business, the meeting adjourned at 6:23 p.m..



Penn Wilson - Secretary



Ronnie Thomas – Chairman

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