

Town of Perdido Beach  
Planning Commission Continuation of Public Hearing Minutes  
Town Hall  
May 2, 2018-6:30 pm

Call to Order: Chris Head, Chair called the meeting to order at 6:34 pm

Roll Call:

**Commission Members Present:** Bob Gross, Commissioner; Kae Hamilton, Mayor; Chris Head, Chair; Hank Jordan, Vice Chair; Christi Koehle, Commissioner; John LaGrone, Commissioner; Andrew Stewart, Councilman and Lynn Thompson, Commissioner.

**Others Present:** Nicole Taylor, Regional Planner-South Alabama Regional Planning Commission- (SARPC) and Members of the Town.

**Commission Members Absent:** Glenna Smith.

**Also Absent:** Secretary Linda Pavasco

Invocation and Pledge of Allegiance: Councilman Andrew Stewart

Approval of Prior Meeting's Minutes:

- *April 4, 2018 Planning Meeting/Public Hearing*
- April 17, 2018 (Workshop)
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**ITEM: April 4, 2018 Public Hearing/Regular Meeting Minutes**

Motion by Commissioner Koehle, second by Commissioner Stewart to approve the April 4, 2018 Minutes with the addition of the following amendment to the discussion of the minutes.

There was a motion by Commissioner Koehle, second by Commissioner Lagrone to table making a recommendation to the Town Council until the next regular Planning Commission meeting. There was a roll call vote. All members were in favor, except Councilman Stewart who voted "No".

The motion carried to postpone making a recommendation.

Amendment to the Planning and Zoning Commission Meeting April 4, 2018. During discussion of the motion, Commissioner Andrew Stewart (also Councilman Andrew Stewart) clarified the Council/Commission position on the Council recommend proposals, saying in effect that, "The Town Council legally made and voted on these proposals; Council legally sent these proposals to the Planning Commission. The Planning Commission was appointed and has a mandate to support the Town Council on these proposals."

These comments were voiced by Commissioner Bob Gross in the Planning Commission discussion and then submitted to the secretary in writing for inclusion as an amendment to the April 4, Minutes.

<b>“Yes”</b>	<b>Roll Call Vote</b>	<b>“Abstain”</b>	<b>“No”</b>
Bob Gross, Chris Head Hank Jordan Christi Koehle John LaGrone Lynn Thompson		Kae Hamilton, Mayor Andrew Stewart	

Majority voting in favor, the motion carried to approve the minutes as corrected.

**ITEM: April 17, 2018 Workshop Minutes**

Motion by Mayor Hamilton, second by Commissioner Koehle to approve the April 17, 2018 Workshop Minutes.

**Discussion:** Commissioner Gross handed out written additions to the April 17<sup>th</sup> Workshop Minutes. The additions are attached and were approved to be a part of the minutes. **(Written Comments Attached)**

<b>“Yes”</b>	<b>Roll Call Vote</b>	<b>“Abstain”</b>	<b>“No”</b>
Bob Gross Chris Head Christi Koehle John LaGrone Kae Hamilton, Mayor Lynn Thompson		Hank Jordan Andrew Stewart	

With the majority voting in favor the motion carried to approve the minutes as corrected.

**Hearing of Applications:**

**PBTA-18002;**

**Proposed Amendments to the Town of Perdido Beach Land Use and Zoning Ordinance.**

**Article VI, Section 6.1.5**

- Change minimum lot size from 3 acres to 1 acre

**Article XIX, Section 19A.11.1**

- Amend the time requirement for rezoning from 1 year to 6 months.

**Article XXIII, Section 23.2 Permitted Uses**

- In the Table of Permitted Uses, under “OR” Park, playground, public park, public pier boat launch, and other outdoor recreational uses.(see definition)
- Change the use from “C” (Conditional Use) to “P” (Permitted Use).

Chairman Head read the proposed text amendments and opened the Public Hearing.

**(Chairman’s Comments)**

Chairman Head stated “there is no need to rush this issue. A significant lawsuit has been filed against our Town taking issue with relevant property’s being rezoned. It is to be heard in court in only two months. We owe it to all our citizens to hold this matter over until after the litigation is complete.” I move that the matter be tabled until final resolution of subject lawsuit, styled as “Dennis Barnes EtAl vs Town of Perdido Beach, Alabama” filed on 8/8/17.”

Commissioner Koehle, seconded Chairman Head’s motion.

**Discussion:**

Councilman Stewart stated that the issue could not be tabled again according to Robert’s Rules of Procedure. Thus began a lengthy discussion on the rules of procedure that the Planning Commission has resolved to follow.

Chairman Head called for a 15 minute recess to allow for time to look up Robert’s Rules and the Planning Commission Rules of Procedure. The meeting resumed at 7:14 pm.

Nicole Taylor-Regional Planner, South Alabama Regional Planning Commission, stated that her supervisor, Diane Burnett had conveyed to her that the Perdido Beach Planning Commission could not table the action, which the Commission had to make a recommendation at that May 2, 2018 meeting.

Chairman Head agreed that motion to lie on the table was not in order and that Commission needed to vote on the recommendations. There was a roll call vote.

**Those voting in favor:**

Commissioner Gross  
Commissioner Koehle  
Chairman Head

**Those Opposed:**

Mayor Hamilton  
Commissioner Jordan  
Commissioner Stewart  
Commissioner Thompson

**Abstained**

Commissioner LaGrone  
Commissioner Smith

Motion failed.

**Chairman Head opened the floor for public comments.**

Mr. Dennis Barnes-Town Resident spoke in opposition to the proposed public boat launch to be located on the Town's State Street property.

**ITEM: Article VI, Section 6.1.5 Change** *minimum lot size from 3 acres to 1 acre*

There was a motion by Mayor Hamilton, second by Commissioner LaGrone to recommend the text amendment to the Town Council.

**Discussion:**

Commissioner Koehle stated that the property was improperly rezoned, thus requiring the need to change the minimum lot size. No other evidence or request to change the minimum lot size requirements. Concerns of safety and environmental issues.

**Roll Call Vote**

"Yes"

Kae Hamilton  
John LaGrone  
Andrew Stewart  
Lynn Thompson

"Abstain"

"No"

Christi Koehle  
Hank Jordan  
Bob Gross  
Chris Head

Motion failed for lack of a majority vote.

**ITEM: Article XIX, Section 19A.11.1**

Amend the time requirement for rezoning from 1 year to 6 months.

Motion by Mayor Hamilton, second by Commissioner Andrew Stewart to recommend the text amendment to the Town Council.

Discussion:

"Why was the time requirement change necessary?" "What purpose is served?"

**Roll Call Vote**

"Yes"

Kae Hamilton  
John LaGrone  
Andrew Stewart  
Lynn Thompson

"Abstain"

"No"

Christi Koehle  
Hank Jordan  
Bob Gross  
Chris Head

Motion failed for lack of a majority vote.

**ITEM: Article XXIII, Section 23.2 Permitted Uses**

- In the Table of Permitted Uses, under “OR” Park, playground, public park, public pier boat launch, and other outdoor recreational uses.(see definition)
- Change the use from “C” (Conditional Use) to “P” (Permitted Use).

Motion by Mayor Hamilton, second by Andrew Stewart to recommend the text amendment to the Town Council. **Discussion:**

Why is the change necessary? Property location needs to be considered

Is the change in harmony with the adjacent properties that would be changed form “conditional use” to “permitted use”?

**Roll Call Vote**

“Yes”

Kae Hamilton  
John LaGrone  
Andrew Stewart

“Abstain”

“No”

Christi Koehle  
Hank Jordan  
Bob Gross  
Chris Head  
Lynn Thompson

Motion failed for lack of a majority vote.

Chairman Head closed the public hearing.

Public Comments: None

**Guest Speakers:** None

**Officer Reports:**

Mayor’s Report: Mayor Hamilton reported that renovations on the building to be used as a meeting facility has been completed.

Chairman’s Report: No Report

SARPC Representative: No Report

**Unfinished Business:** Final review of the master plan recommendations to the Town Council.

After review of the proposed changes the Planning Commission made additional changes and corrections. The recommendations will be sent back to Diane Burnett-South Alabama Regional Planning Commission (SARPC) who will make the corrections for another review at the next Planning Commission Meeting.

**Announcements:** Next Regular Planning Commission Meeting June 6, 2018

**Public Comments:**

**Adjournment:**

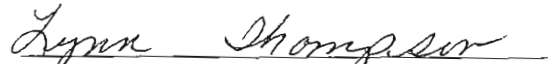
Being no further business there was a motion by Chris Head, second by Hank Jordan to adjourn.

All in favor, the meeting ended at 7:56 pm.



Chris Head, Chair

ATTEST:



Lynn Thompson, Acting Secretary

Recorded on thumb drive ZOOM00027 and ZOOM00031