May 10, 2018
Planning Commission
12191 Magnolia Springs Hwy.
Magnolia Springs, Al.
4:00 P.M.

1. Call to Order
Chairman, Mike Costigan, called the meeting to order at 4:00 p.m.

2. Roll Call
   Members present: Chairman, Mike Costigan
                   Vice Chair, Bob Holk
                   Jenny Opal White, Secretary
                   Lauren Mote
                   Steve Mobley
                   Bob Turner
                   Lewis Wood
                   Rodney Hubble

   Members not present: Mark Byrd

   Diane Burnett, SARPC Representative was in attendance.

3. Invocation and Pledge
Lewis Wood led the invocation and pledge.

4. Approval of Minutes – November 9, 2017
There were no corrections or additions.

Motion by Member, Steve Mobley, 2nd by Member, Lewis Wood to approve the minutes as presented. All in favor. Motion carried.

5. Attorney General Opinion: Meadow Springs RV Park
Chairman, Mike Costigan, discussed, the Attorney General opinion of the Meadow Springs RV Park. He concluded that under section 11-52-1(6) of the Code of Alabama and the Town of Magnolia Springs Subdivision Regulations the RV Park involves building development subject to regulation by the Commission.

Questions
Christopher Callaghan, Attorney, representing, Mr. Mike Hill, asked, if we are going to accept the Attorney General opinion on Meadow Springs RV Park? He, asked, an additional question if the Planning Commission was going to have criteria specific for RV parks or will they be the same as residential housing?
Chairman, Mike Costigan, commented, we asked for the Attorney General opinion. The opinion was not for us to accept or deny. The Planning Commission will follow Subdivision Regulations.

Christopher Callaghan, asked, if the Planning Commission would create new language in the Subdivision Regulations.

Vice Chairman, Bob Holk, addressed, the RV Parks are not within are current Subdivision Regulations. The Planning Commission will need to review the Subdivision Regulations and PUD Regulations.

Christopher Callaghan, inquired, on Land Use Application for Site Plan.

Vice Chairman, Bob Holk, commented we forwarded a refund to Mr. Mike Hill on his Land Use Application.

Jenny Opal White, commented, the check was mailed on Monday, May 7, 2018.

Chairman, Mike Costigan, asked for additional questions. No, further questions.

6. Reports and/or Announcements

Vice Chairman, Bob Holk, discussed, Karen Biel, former, Town Clerk and Secretary of the Planning Commission has retired.

Vice Chairman, Bob Holk made request to appoint Jenny Opal White as a member of our staff to the position of Secretary of the Planning Commission. There is no required vote.

Chairman, Mike Costigan, welcomed Jenny Opal White.

Vice Chairman, Bob Holk, informed, the Planning Commission that the Town of Magnolia Springs, Planning Commission is now responsible for the extraterritorial jurisdiction. Baldwin County did control the extraterritorial jurisdiction prior. He has been in discussion with Seth Peterson of Baldwin County. Seth Peterson has conveyed if the subdivision is within the ETJ, Magnolia Springs will control.

Vice Chairman, Bob Holk, not sure how we would proceed on adopting the roads. Baldwin County Highway Department would need to review.

Mayor, Bob Holk, suggested two options.

1. Establish fee schedule and hire a engineering firm to review plans.
2. Give ETJ back to Baldwin County to handle subdivision regulations.

Chairman, Mike Costigan, asked, what happened for agreement to change.

Mayor, Bob Holk, commented, he presumed litigation.
Bob Turner, inquired, on why Magnolia Springs fees are different than county.

Vice Chairman, Bob Holk, commented, we adjusted the fees so the developer wasn't paying double from Baldwin County to the Town of Magnolia Springs.

Rodney Hubble, commented, on the value of the process to Magnolia Springs. Do we relinquish, maintain, or assert more control. He requested getting a do to list from Seth Peterson and establish costs. He made suggestion to renegotiate with Baldwin County.

Bob Tuner, asked, is the ETJ standard for towns?

Vice Chairman, Bob Holk, commented, the ETJ can go out five miles from the town limit. We exercise a mile and a half of the jurisdiction around Magnolia Springs.

Chairman, Mike Costigan, commented, we designed the subdivision regulations to go in term with Baldwin County.

Vice Chairman, Bob Holk, commented, the biggest difference is the requirement of lot size.

Rodney Hubble, suggested, we revisit PUDs, manufacturing housing, and RV parks at a Work Session.

Vice Chairman, Bob Holk, commented, as of now you could have a RV park or mobile home park as a PUD. You could cluster in smaller lot sizes. You can not recreate more lots than a regular subdivision.

Bob Turner, inquired, on how we determined the Town limits.

Vice Chairman, Bob Holk, established, Town limits when incorporated.

Bob Tuner, asked, What is the formula?

Vice Chairman, Bob Holk, commented, there is a formula and a vote is required.

Diane Burnett, SARPC, commented, formula based on persons to acreage.

Rodney Hubble, commented we need to look at the economic value of the subdivisions and analyze.

Vice Chairman, Bob Holk, commented, there has to be a norm on subdivision regulations.

Rodney Hubble, commented, there are other areas looking at PUDs. PUDs are successful, but create more control.

Bob Holk, Vice Chairman, noted, PUD regulations do not give developer relief on lot size.

Rodney Hubble, noted, you would need to cluster and have green space.
Lewis Wood, inquired, on other RV Park in area.

Vice Chairman, Bob Holk, commented, the RV Park came to us around two years ago for a land use application below the Golf Course. This RV Park is setup for short term rental. The RV Park provides utilities.

Lewis Wood, commented, this has become a rough area.

Lewis Wood, asked, if this new RV Park proposed could follow.

Vice Chairman, Bob Holk, commented, no. The subdivision regulations have changed.

Diane Burnett, SARPC, commented, on the code, paraphrased, the subdivision for and/or building development. It is how interpreted.

Vice Chairman, Bob Holk, commented, there was an RV Park in Elberta that sought legal that went to the Supreme Court. Subdivision regulations were changed from decision with building development.

Diane Burnett, SARPC, noted Magnolia Springs is the only municipality with a Planned Unit Development in Subdivision Regulations that allows recreational.

Town Attorney, Brad Hicks, has forwarded a letter to Mr. Mike Hill that he will need to resubmit an application under Subdivision Regulations and ask for a variance if needed.

Lewis Wood, asked, what happens if he changes his thought process.

Vice Chairman, Bob Holk, commented, the opinion says we now need to look at the RV Park as a subdivision.

Vice Chairman, Bob Holk, would like for the Planning Commission to start back meeting on a monthly basis.

Vice Chairman, Bob Holk, commented, Town Attorney, Brad Hicks was not able to attend the meeting this afternoon.

Vice Chairman, Bob Holk, commented, we need to review the fee schedule. If costs exceeds, the developer will pay the difference.

Steve Mobley, commented, our Subdivision Regulations mention Baldwin County Engineer.

Diane Burnett, SARPC, noted, that was a courtesy. They do not do that anymore. They sign on plat.

Diane Burnett, SARPC, suggested, a separate fee ordinance.

Diane Burnett, SARPC, commented, there are engineering firms you can hire that will work on call for the municipality.
Chairman, Mike Costigan, commented, the Town needs to look at an engineer to review the ETJ.

Vice Chairman, Bob Holk, commented, we're not prepared right now with recent change if someone walks in with an RV Park application. We need to establish the fee schedule and revise subdivision regulations.

Lauren Mote, commented, we incorporated as Town to protect lot size.

Diane Burnett, SARPC, mentioned, other municipalities are annexing.

Chairman, Mike Costigan, we will have a meeting next meeting to discuss the questions.

7. Public Comment

No public comment.

8. Adjourn

Chairman, Mike Costigan, asked for motion to adjourn meeting.

Motion by Vice Chairman, Bob Holk, 2nd by Member, Steve Mobley to adjourn the meeting. All in favor. Motion carried.

Meeting ended at 4:35 p.m.

Approved this the 14th day of June, 2018.

[Signature]
Mike Costigan, Chairman

ATTEST:

[Signature]
Jenny Opal White, Secretary