

The City of Daphne
Planning Commission Minutes
Regular Meeting of January 24, 2019
Council Chamber, City Hall - 5:00 P.M.

Call to Order:

Chairman called the regular meeting of the City of Daphne Planning Commission to order at 5:02 p.m. The number of members present constitutes a quorum.

Call of Roll:

Members Present:

Charles Smith
Andrew Prescott, Secretary
Marybeth Bergin, Chairman
Phillip Hodgson, Vice Chairman
Ron Scott
Hudson Sandefur
Chief White (excused @ 6:00 p.m.)

Staff Present:

Adrienne Jones, Director of Community Development
Jan Vallecillo, Planning Coordinator
Patrick Dungan, Attorney
Troy Strunk, Executive Director, City Development

The first order of business is the approval of the minutes.

Chairman asked for questions, comments or corrections to the minutes *of the regular meeting of December 20, 2018. There being none, minutes are approved as submitted.*

The next order of business is a public hearing for proposed amendments to Article 9, District Provisions, of the Land Use Ordinance.

Chairman opened the floor to public participation. No one came forth. She closed public participation.

Chairman stated that the discussion would be held later in the meeting in preparation of a recommendation to City Council.

The next order of business is site plan review for Winged Foot Commercial Site, Lot C-1.

An introductory presentation was given by Jason Estes, representative of Dewberry, requesting site plan review of two six-thousand two-hundred square foot professional office buildings with associated drainage, parking, utilities, and landscaping located northeast of Edgewood Drive and County Road and stated staff deficiencies have been addressed.

Chairman asked for Commission questions or comments and about the drainage structure setback, sidewalks and site plan revisions. Mr. Estes responded that he provided plan revisions addressing those issues and sidewalks.

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Jeremy Sasser, Public Works Director, stated he received plan revisions that addressed all public works issues. Ms. Jones reminded Mr. Estes to provide plans to Community Development. Ashley Campbell, Environmental Programs Manager, responded that she did not receive plan revisions or a response to comments.

Chairman asked for Commission questions or comments and for a motion.

Mr. Scott referenced the issue of detention pond maintenance in TimberCreek and Historic Malbis Subdivision and asked will the commercial properties be a part of Winged Foot Subdivision POA. Mr. Estes responded the commercial development has onsite detention.

A Motion was made by Mr. Scott and Seconded by Mr. Prescott to approve Winged Foot Commercial Site, Lot C-1 site plan. There was no discussion on the motion. The Motion carried unanimously.

The next order of business is site plan review for Tractor Supply Company.

An introductory presentation was given by Trey Jinright, representative of Jade Consulting, requesting site plan review of a tractor supply company with associated drainage, parking, utilities, and landscaping located southwest of Johnson Road and U.S. Highway 98 and stated the applicant has the applicable permits. He noted that the contractor accepts responsibility of stabilization of the site during construction and plans to disturb only the areas of which culverts will be installed and advised that staging of the development will be addressed in more detail at the preconstruction meeting. He also noted that the public works comment will be addressed by the dedication of a twenty-five foot right-of-way for access to Adams Avenue with the future submission of a two-lot subdivision.

Chairman asked for Commission questions or comments.

Mr. Hodgson asked about a sign variance.

Ms. Jones responded that is not a part of the planning process and is a part of the permitting process and submission of an application for a sign permit; if the sign is not in compliance, the applicant must submit an application for a variance to the Board of Zoning Adjustment. Any associated sign will be in compliance with the ordinance or with the BZA's approval.

Chairman asked for Commission questions or comments and for a motion.

A Motion was made by Mr. Hodgson and Seconded by Mr. Smith to approve Tractor Supply Company site plan.

During discussion, Mr. Sandefur asked about the sidewalk requirement.

Ms. Jones stated the applicant requested a waiver for U.S. Highway 98. Mr. Scott asked the location of the sidewalk.

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Mr. Jinright responded there is an existing sidewalk on the north side of Johnson Road.

Mr. Jinright stated the appropriate time to address a sidewalk on Johnson Road is with the presentation of the secondary site plan. Mr. Scott concurred and stated the city has not required sidewalk on U.S. Highway 98. Ms. Jones responded the Commission could defer the sidewalk on Johnson Road, but this is the time to address a sidewalk on U.S. Highway 98. Mr. Sasser stated that a sidewalk waiver is appropriate at this location.

Mr. Sandefur offered to modify the motion to include a waiver of the sidewalk requirement along U.S. Highway 98. Mr. Hodgson had no objection to the modification. ***There was no further discussion on the modified motion.***

The Chairman called for a vote on the modified motion to approve Tractor Supply Company site plan with a waiver to the sidewalk requirement along U.S. Highway 98. The Motion carried unanimously.

The next order of business is final plat review and street acceptance for Blackstone Lakes Subdivision, Phase 1 & 2.

An introductory presentation was given by Steve Pumphrey, representative of Dewberry, requesting final plat review of a one hundred and seventy-five lot subdivision consisting of approximately seventy-three point five three acres located southeast of County Road 13 and Corte Road and stated that a bond was presented for the completion of Corte Road.

Chairman asked about street acceptance of Corte Road. Ms. Jones responded they can ask for acceptance of the streets within Blackstone Lakes, but not Corte Road as it is not in the city limits. Mr. Sasser stated the transfer of Corte Road to the city would not occur until construction is complete.

Chairman asked about the modification to the PUD standards. Ms. Jones responded because the modifications are lesser and not greater, no action is necessary.

Mr. Pumphrey stated the staff deficiencies listed by the Public Works Director and Environmental Programs Manager are being addressed. Ms. Campbell addressed stabilization, sodding, erosion control, and her drainage concerns, and the residents of Bellaton Subdivision and requested the addition of a swale on the rear of those lots. Mr. Pumphrey concurred and responded there will be an easement added to plat.

Chairman asked for Commission questions or comments.

Chief White asked about the location of the pool. Mr. Pumphrey responded at the north end of the subdivision in the amenity area.

Chairman asked for a motion.

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A **Motion** was made by Mr. Hodgson and **Seconded** by Mr. Scott **to approve Blackstone Lakes Subdivision, Phases 1 and 2, contingent upon satisfactory final inspection reports from the Public Works Director and Environmental Programs Manager. There was no discussion on the motion. The Motion carried unanimously.**

A **Motion** was made by Mr. Scott and **Seconded** by Mr. Sandefur **to set forth a favorable recommendation to City Council to accept the streets in Blackstone Lakes Subdivision, Phases 1 and 2 with a condition that the Public Works Director sign off before sending request to Council. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is final plat review for Pollard Park.

Ms. Jones stated Mr. Irvine was unable to secure a performance bond for the sidewalks along Pollard Road; therefore, the Commission may table action on the final plat or approve it with a contingency. The contingency is appropriate only because there will not be a February meeting.

Chairman asked for Commission questions or comments.

Mr. Scott asked the outstanding issues. Ms. Jones responded a performance bond for the sidewalk along Pollard Road, additional landscaping, and letter of compliance by the landscape architect.

Chairman asked for Commission questions or comments and for a motion.

A **Motion** was made by Mr. Scott and **Seconded** by Mr. Sandefur **to approve Pollard Park with the condition that sidewalk and landscaping issues be satisfactorily submitted to Community Development for review and approval. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is an administrative presentation of the City of the Official Daphne Zoning and Street Map.

Ms. Jones stated this is a codification of amendments made to the zoning and street map and outlined modifications.

Chairman asked for Commission questions or comments and asked for a motion.

A **Motion** was made by Mr. Scott and **Seconded** by Mr. Prescott **set forth a favorable recommendation to City Council for approval of the Official Zoning Map. There was no discussion on the motion. The Motion carried unanimously.**

A **Motion** was made by Mr. Scott and **Seconded** by Mr. Prescott **set forth a favorable recommendation to City Council for approval of the Official Street Map. There was no discussion on the motion. The Motion carried unanimously.**

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Mr. Scott presented a request to provide the number of miles of streets to the City Council.

The next order of business is Planning Commission discussion.

Ms. Jones presented the finalized version of a proposed amendment to Article 9, including revisions discussed at site preview. The proposed language is in response to the Council's request for the Commission to present an ordinance for consideration that would bring nonconforming lots of record into conformity.

Chairman asked for Commission questions or comments.

Mr. Prescott asked if the intent of the amendment was to address those lots west of Main Street. Ms. Jones responded the amendment also includes the Olde Towne Daphne District.

Mr. Scott commented that the initial consideration was a proposed amendment to Article 9 and 14 and reiterated that the proposed language is a result of the denial of a variance for a subdivision re-plat of three-lots by the Board of Zoning Adjustment.

Chairman stated that this amendment only addresses established lots of record. Mr. Dungan stated there is a new provision that would solve the issues Mr. Scott is addressing.

Mr. Prescott commented that this would address that issue, but not subdivisions. Ms. Jones responded a proposed stand-alone article that would address those issues proposed in Article 14 will be reviewed by legal and presented to the Commission in March.

Chairman asked for Commission questions or comments and for a motion.

A Motion was made by Mr. Scott and *Seconded* by Mr. Sandefur to set forth a favorable recommendation to the City Council for approval of a proposed amendment to Article 9, District Provisions. There was no discussion on the motion. The Motion carried unanimously.

Chief White was excused at 6:00 p.m.

The next order of business is public participation.

Chairman asked for public participation.

Richard Jaehne, 9499 Bellaton Drive, spoke and expressed his concerns about construction traffic through Bellaton Subdivision and drainage issues from the development of Blackstone Lakes Subdivision.

Ann McNally, 8327 Edgewood Drive, spoke and expressed her concerns about lighting, privacy, noise, tree removal and buffer area near Edgewood Subdivision.

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Chairman stated that the developer has provided a twenty-foot buffer zone. Ms. Jones responded Winged Foot Subdivision is a PUD and noted that a fence is not planned along the buffer, and that it will consist of Oak trees and sod.

Lisa Giannettino, 8339 Edgewood Drive, spoke and expressed her concern about clearing and removal of bamboo. Ms. Jones responded she will share her, as well as, the other citizen's concerns at the preconstruction meeting.

Mr. Scott asked for consideration of the annexation of Edgewood Subdivision into the city limits.

Pat Graham, 24533 Kipling Court, spoke and expressed her concerns about drainage issues from the development of Blackstone Lakes Subdivision.

Don Ouellette, 7720 Elizabeth Drive, spoke and commented on the adverse effect of Pinas trailer park on Madison Place Subdivision.

The next order of business is the attorney's report.

Mr. Dungan stated no report.

The next order of business is commissioner's comments.

Phillip Hodgson requested that the Public Works Director and Environmental Programs Manager provide a red-lined list of revision to review memorandums prior meetings.

Charles Smith commented that his term on the Commission has expired, and it his understanding this is his last meeting. He expressed gratitude for his opportunity to serve.

The next order of business is director's comments.

Ms. Jones presented the following:

Director stated due to the anticipated lack of a quorum, there will not be a meeting in February; She thanked Charles Smith for his service.

There being no further business, the meeting was adjourned at 6:37 p.m.

Respectfully submitted by:



Jan Vallecillo, Planning Coordinator

Approved: March 28, 2019



Marybeth Bergin, Chairman