

The City of Daphne
Planning Commission Minutes
Regular Meeting of April 22, 2021
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 5:11 p.m. The number of members present constitutes a quorum.

Call of Roll:

Members Present:

James "Bo" White
John Peterson
Andrew Prescott, Vice Chairman
Ronnie Huskey
Kevin Spriggs
Steve Olen
Marybeth Bergin, Chairman

Staff Present:

Jan Vallecillo, Planning Coordinator
Adrienne Jones, Director of Community Development
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 March 25, 2021. There being none, minutes are approved as submitted.*

The next order of business is site plan review for No Off Season Expansion.

An introductory presentation was given by Steve Fisher, representative of Element 3 Engineering, requesting site plan review of a multi-purpose facility, basketball and volleyball court located southeast of the intersection of County Road 64 and Friendship Road.

Chairman asked for Commission questions or comments and asked about the access agreement. Mr. Fisher responded that the owner has acquired that easement. She advised that Public Works and Environmental Programs Manager concerns have been addressed.

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

A Motion was made by Mr. Prescott and **Seconded** by Mr. Huskey **to approve No Off Season Expansion site plan. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is preliminary/final plat review for Highway 90 Business Park, Unit Two.

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An introductory presentation was given by Matt White, representative of White-Spunner Realty, requesting preliminary/final plat review of a two-lot subdivision consisting of twenty-eight point five-nine acres located southwest of the intersection of County Road 13 and U.S. Highway 90.

Chairman stated that the property was previously rezoned from R-1, and we are subdividing the R-7(A), Apartment, and GC, Golf Course, portion for future development. She asked about the fifty-foot buffer to the south. Mr. White stated it is reserved for a drainage area in the future.

Chairman asked about the buffer to the west. Ms. Jones responded that the buffers are on the zoning exhibits and reflected on the plat for codification. She asked for clarification on the split zoning. Ms. Jones stated it is not relevant to this application.

Chairman asked for Commission questions or comments and opened the floor to public participation.

Mike Koepp, 29291 Deciduous Drive and President of Oak Creek POA, spoke in opposition and expressed his concerns about environmental issues relative to wetland and landscape buffer requirements and erosion/sedimentation issues of D'Olive Creek and the detention pond of Oak Creek Subdivision.

Scott Williamson asked would residents of Oak Creek Subdivision have an opportunity to review the site plan for the proposed development. Chairman responded that the plans will be reviewed by this body, but there will not be an opportunity for public comment; however, the plans will be available for review in Community Development.

Margaret Szedlmayer, 106 Edgar Circle, provided correspondence that addressed her concerns about safety of school students, traffic congestion, buffer requirements, density, quality of life and impact on the sanitary sewer system.

Chairman closed public participation.

Mr. Peterson asked for confirmation of the location of the northern boundary of the subdivision. Ms. Jones responded that the surveyor confirmed that it is consistent with the zoning exhibits.

Mr. Spriggs asked about rezoning and the buffers shown on the plat. Chairman advised that the property was rezoned from R-1 to its present zoning.

Chairman stated the fifty-foot buffer along the west property line will remain and of that, twenty-five feet will be a landscape buffer. In addition that buffer, there is also a fifty-foot setback; therefore, there is one hundred feet from Oak Creek Subdivision residents to this development. She also noted that there is a significant amount of wetlands in this area and no construction can occur in the wetland area or buffer.

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Mr. Spriggs asked if the ordinance allows for the mitigation of these wetlands.

Ms. Jones responded that an impact or wetland buffer modification requires the approval of the Commission.

Tim White, Environmental Programs Manager, stated a wetland delineation would be required during site plan review. He stated that ADEM will issue a permit after the approval of Corps of Engineers.

Chairman advised that the location of the wetlands and buffer requirements will be discussed during site plan review.

Chairman closed public participation and asked for a motion.

A Motion was made by Mr. Prescott and **Seconded** by Mr. Peterson **to approve Highway 90 Business Park, Unit Two preliminary/final subdivision plat. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is preliminary/final plat review for the Resubdivision of Lot 1A, Columbus Way Subdivision.

An introductory presentation was given by John Warner, representative of Burris-Warner, requesting preliminary/final plat review of a two-lot subdivision consisting of zero point seven-seven acres located northeast of the intersection of Ryan Avenue and Main Street. He stated that the property was recently rezoned from R-1 to R-2, and this is the final step prior to residential construction.

Chairman asked for Commission questions or comments and about access. Mr. Warner stated that the thirty-foot easement serves as the access for both lots.

Chairman opened the floor to public participation. No one came forth. She closed public participation and asked for a motion.

A Motion was made by Mr. Spriggs and **Seconded** by Mr. Prescott **to approve the Resubdivision of Lot 1A, Columbus Way preliminary/final subdivision plat. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is a master plan revision, preliminary/final plat review, and preliminary plat review for French Settlement Subdivision, Phase Four.

An introductory presentation was given by Casey Hill, representative of Dewberry, of a request for a modification of the master plan of nineteen-acre parcel located south of and adjacent to French Settlement Subdivision; northwest of Parker Lane and County Road 13. The requested modification is to add a phase line. She stated staff also recommended the addition of a landscaped island, and the owner is agreeable to the modification.

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Chairman asked for Commission questions or comments and about the location of the landscaped island. Ms. Hill stated along Rosedowne Lane and the western boundary.

Chairman asked about the identification of the landscaped islands as common area. Ms. Jones responded that this is similar to the maintenance of the medians in the right-of-way of Loma Alta Towers. Mr. Eringman advised that it is not preferable because of incidents and maintenance issues, and stated he is in receipt of the final revisions to the plans, but has not reviewed them.

Mr. Spriggs advised that the covenants of the subdivision must be explicit as to who is responsible for maintenance.

Mr. Eringman spoke to request the addition of a drainage easement along the southern boundary of French Settlement Subdivision, Phase 4B, a utility easement in the common area along the north property line of French Settlement Subdivision, Phase 4A for the location of a sewer lateral, and removal of the landscape islands in the common area and/or right-of-way to be maintained by the city.

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

Chairman asked for a motion for the associated applications.

A Motion was made by Mr. Prescott and **Seconded** by Mr. Huskey **to approve French Settlement Subdivision master plan amendment contingent upon amendment to the island along Rosedowne Lane. There was no discussion on the motion. The Motion carried unanimously.**

A Motion was made by Mr. Prescott and **Seconded** by Mr. Huskey **to approve French Settlement Subdivision preliminary/final subdivision plat. There was no discussion on the motion. The Motion carried unanimously.**

A Motion was made by Mr. Prescott and **Seconded** by Mr. Huskey **to approve French Settlement Subdivision, Phase 4A preliminary subdivision plat contingent upon satisfactory review of revised construction plans by Public Works. There was no discussion on the motion. The Motion carried unanimously.**

A Motion was made by Mr. Prescott and **Seconded** by Mr. Huskey **to approve French Settlement Subdivision, Phase 4B preliminary subdivision plat contingent upon amendment to the island along Rosedowne Lane and satisfactory review of revised construction plans by Public Works. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is final plat review and street acceptance for Jubilee Farms Subdivision, Phase Fifteen.

An introductory presentation was given by Al Finley, representative of Dewberry, requesting final plat review and street acceptance for Jubilee Farms Subdivision, Phase Fifteen located southeast of Austin Road and Alabama Highway 181.

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Mr. Finley stated this phase is located east and adjacent to Jubilee Farms Subdivision, Phase Five and consists of thirty-one lots which access County Road 54 West.

Chairman asked for Commission questions or comments and asked about the staff comments. Mr. Finley responded the inspector advised that an inspection was held today, and that all outstanding deficiencies have been addressed.

William Eringman, Deputy Public Works Director, advised that all items have been addressed, but that he was unable to provide a revised memorandum because he was at city hall dealing with a sanitary sewer issue.

Steve Harbin, Forestar Development Director, advised that they are waiting for street signs, and the silt in the inlets will be removed next week.

Chairman asked for Commission questions or comments and asked for a motion for the associated applications.

A Motion was made by Mr. Peterson and **Seconded** by Mr. Prescott **to approve Jubilee Farms Subdivision, Phase Fifteen final subdivision plat contingent upon submission of passing inspection reports from all plan reviewers to Community Development. There was no discussion on the motion. The Motion carried unanimously.**

A Motion was made by Mr. Prescott and **Seconded** by Mr. Olen **to set forth a favorable recommendation to the City Council to accept the streets and rights-of-way in Jubilee Farms Subdivision, Phase Fifteen contingent upon submission of passing inspection reports from all Plan Reviewers to Community Development. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is a rezoning request for Gordon and Rosalyn Satterwhite.

An introductory presentation was given by Gordon Satterwhite, owner, of a request to rezone a one point two-two-acre parcel from B-3, Professional Business, to R-3, High Density Single Family Residential located southeast Creekbank Drive and Pollard Road.

Chairman asked for Commission questions or comments.

Chairman opened the floor to public participation. No one came forth. She closed public participation and asked for a motion.

A Motion was made by Mr. Olen and **Seconded** by Mr. Spriggs **to set forth a favorable recommendation to City Council to approve the rezoning request as presented. There was no discussion on the motion. The Motion carried unanimously.**

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The next order of business is a request for pre-zoning and annexation for Jennifer Lynn Chaffin, Stephen W. & Wanda Milstead and Stephen Patrick Milstead.

An introductory presentation was given by Trey Jinright, representative of Jade Consulting, of a request to pre-zone and annex a four point nine-six acre, eight-acre and four point nine-six acre parcel located northeast of Well and Pollard Roads as a PUD, Planned Unit Development, for an alley loaded townhome development which facing the street with associated resident and guest parking.

Ms. Jones advised this pre-zoning and annexation will be presented as one ordinance and once approved the parcels will be re-platted into one lot.

Mr. Spriggs asked about the consideration of a development of an apartment complex, condominium development, or rental units and who will be responsible for the common areas, roads and detention area, as well as, notification of the Baldwin County School Board regarding a proposed high-density development.

Ms. Jones advised of the legislation that states that the school board shall be notified of one hundred units or greater.

Mr. Spriggs asked about a road development plan and cross connectivity.

Chairman advised that the Committee has begun review of the applicants in preparation of the Comprehensive Plan.

Ms. Jones advised have acquired federal and state funds for the improvement of the long-range transportation plan for the east/west corridor.

Chairman asked about a master plan. Ms. Jones responded that the color rendering is the general plan with is a detail of the site plan.

Mr. Peterson asked why the proposed rezoning is not R-7(T), for townhomes. Mr. Jinright responded because it is front loaded with a rear-loaded alleyway with no space for a car and the building.

Chairman asked about the traffic impact study. Mr. Jinright responded that the study does not recommend offsite improvements. Chairman asked that he meet with staff to discuss the improvements that were recommended in the traffic impact study for Winged Foot Subdivision. Mr. Jinright agreed.

Chairman asked for Commission questions or comments and opened the floor to public participation.

Barbara Smith, Remax Realty, asked will the development enhance her property values.

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Patty Grant, 26450 Pollard Road, spoke in opposition and expressed her concerns about the traffic congestion at Well and Pollard Roads, sidewalks, and the impact on her business.

Mrs. Craig Rhodes, owner of Eastern Shore Recovery Center, spoke in opposition and expressed her concerns about traffic congestion from the school, Belforest Apartments, Winged Foot Subdivision and Trione Park.

Chairman closed public participation.

During rebuttal, Mr. Jinright responded that the development would not affect property values or traffic.

Chair asked for a motion on the associated applications.

A **Motion** was made by Mr. Peterson and **Seconded** by Mr. Huskey to **set forth a favorable recommendation to City Council to approve the pre-zoning request as presented. There was no discussion on the motion. The Motion carried. Mr. Olen dissented.**

A **Motion** was made by Mr. Peterson and **Seconded** by Mr. Huskey to **set forth a favorable recommendation to the City Council to annex the four point nine-six acre, eight-acre and four point nine-six acre parcel into the Daphne city limits. There was no discussion on the motion. The Motion carried. Mr. Olen dissented.**

The next order of business is public participation.

Chairman asked for public participation.

None presented.

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

Mr. Dungan stated no report.

The next order of business is commissioner's comments.

Mr. Spriggs asked the Commission to work on planning issues to address traffic congestion and connectivity in the city.

The next order of business is director's comments.

Director presented the upcoming meeting dates. Site Preview is May 19, and the Regular Meeting is May 27, 2021.

There being no further business, the meeting was adjourned at 6:50 p.m.

Respectfully submitted by:


Jan Vallecillo, Planning Coordinator

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Approved: May 27, 2021



Marybeth Bergin, Chairman