
Call to Order:

Chairwoman called the regular meeting of the City of Daphne Planning Commission to order at 5:03 p.m. The number of members present constitutes a quorum.

Call of Roll:

Members Present:

Phillip Hodgson, Secretary
John Peterson
Adam Manning
Andrew Prescott
Kevin Spriggs
Steve Olen
Marybeth Bergin, Chairwoman

Staff Present:

Adrienne Jones, AICP, Director of Community Development
Jan Vallecillo, Planning Coordinator
Patrick Dungan, Attorney

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

Chairwoman asked for questions, comments or corrections to the minutes ***of the regular meeting of May 27, 2021. There being none, minutes are approved as submitted.***

The next order of business is site plan review for Radney Baldwin County Funeral Home.

Ms. Jones advised that the applicant has requested that the application be tabled until the regular meeting of July 22, 2021.

The next order of business is preliminary/final plat review for Red Tide, a Resubdivision of Lot 1, Allegri/64 East Subdivision.

An introductory presentation was given by Gerald Byrd, representative of Byrd Surveying, requesting preliminary/final plat review of a two-lot subdivision consisting of four point seven-one acres located southwest of County Road 64 and County Road 54. He noted that the current owners are not the original developer of the subdivision, but rather plan to build on the out parcel in the future.

Chairwoman asked for Commission questions or comments.

Mr. Peterson asked about detention. Mr. Byrd stated that a detention structure was not constructed. Shane Adams, one of the developers, responded that a detention pond is located in the southwest corner of the property to serve Lots A and B.

Chairwoman 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. Prescott and **Seconded** by Mr. Olen **to approve Red Tide, a Resubdivision of Lot 1, Allegri/64 East 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 Pat Place Subdivision.

An introductory presentation was given by Stuart Smith, representative of Goodwyn, Mills & Cawood, requesting preliminary/final plat review of a two-lot commercial subdivision consisting of four point two-two acres located southwest of Stanton Road and Stanton Road South. He noted that access to the rear lot is through Lot 1 on Stanton Road.

Chairwoman asked for Commission questions or comments and stated this subdivision is the creation of a parcel similar to the previous subdivision.

Chairwoman 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. Prescott and **Seconded** by Mr. Hodgson **to approve Pat Place 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 1AA, the Resubdivision of Lot 1A, TimberCreek Village, Phase Two, the Resubdivision of Lots 1 & 2.

An introductory presentation was given by Stuart Smith, representative of Goodwyn, Mills and Cawood, requesting preliminary/final plat review of a three-lot commercial subdivision consisting of approximately two-point seven-six acres located southwest of U.S. Highway 181 and Highway 31. He noted that the plat was revised to extend the thirty-foot ingress and egress easement to the western boundary line of the subdivision.

Chairwoman asked for Commission questions or comments and noted that the extension of the easement was at the request of the Commission at the site preview meeting.

Chairwoman 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. Hodgson and **Seconded** by Mr. Olen **to approve the Resubdivision of Lot 1AA, the Resubdivision of Lot 1A, TimberCreek Village, Phase Two, the Resubdivision of Lots 1 & 2 preliminary/final plat. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is preliminary/final plat review for Tallent Place Subdivision.

An introductory presentation was given by Seth Moore, representative of Moore Surveying, requesting preliminary/final plat review of a two-lot subdivision consisting of two-point eight acres located northwest of Pollard Road and Randall Avenue. He noted Lot 1 will access Randall Avenue, and Lot 2 will access Wilson Avenue.

Chairwoman asked for Commission questions or comments and noted that there was discussion about the requirement of no further subdivision of land, but it was not required. Ms. Jones concurred.

Chairwoman 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. Prescott **to approve Tallent Place preliminary/final subdivision plat. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is final plat review and street acceptance for Diamante Subdivision, Phase Three.

An introductory presentation was given by Melissa Currie, representative of Dewberry, requesting final plat review of Diamante Subdivision, Phase Three located northeast of County Road 13 and Sehoj Subdivision. She stated that the outstanding deficiencies have been addressed; therefore, they are asking for consideration of final plat approval and street acceptance.

Chairwoman asked for Commission questions or comments. She noted that Public Works comments have been addressed and asked the Environmental Programs Manager to comment. Mr. White responded that he had not conducted a re-inspect, but that his comments were addressed in the Public Works memorandum.

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

A Motion was made by Mr. Peterson and **Seconded** by Mr. Manning **to approve Diamante Subdivision, Phase Three 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. Olen **to set forth a favorable recommendation to City Council to accept the streets in Diamante Subdivision, Phase Three. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is a pre-zoning and annexation request for Joseph Mancini.

An introductory presentation was given by Jason Wooten, Wooten Engineering, of a request to pre-zone and annex a thirty-two point seven-eight acre parcel from RA, Rural Agricultural, Baldwin County District 15, to R-6(G), Garden/Patio Home, District located northeast of Alabama Highway 181 and St. Michael Way.

Ms. Jones advised of her negative recommendation of the proposed zoning district and referenced the City Comprehensive Plan.

Chairwoman asked for Commission questions or comments and noted the receipt of correspondence from Sharon Lynn, Secretary of the Dunmore Subdivision HOA, in opposition to the pre-zoning and commented about the effect this development will have on the existing storm water issues caused by the open ditch in Dunmore Subdivision.

Chairwoman asked about the lot level concept. Ms. Jones advised that it is not part of our ordinance.

Chairwoman opened the floor to public participation.

Fred & Nancy Baker, Cecilia Bailey, Jay & Sandra Jones, and Roy Vicich, residents of Dunmore Subdivision, spoke in opposition, and expressed their concerns about flooding, buffer requirements for commercial/residential development abutting an existing residential subdivision, effect on property values, square footage of the homes and traffic.

Sharon Lynn, Secretary of the Dunmore Subdivision HOA, thanked the Commission for allowing public participation and consideration of concerns of the Dunmore residents.

Chairwoman closed public participation and asked if Mr. Wooten would like to address the Commission to respond to the comments.

During rebuttal, Mr. Wooten responded that the development would not affect the property values or traffic. He noted that the development would consist of single-family residential homes consistent with the neighborhood and an adequate buffer for the commercial development; there will also be a buffer along the northern property line and St. Michael Way, and storm water drainage will have multiple points of exit.

Chairwoman asked for Commission questions or comments.

Mr. Spriggs asked about the commercial development and its zoning designation. Ms. Jones stated that the future commercial development is zoned R-A, Rural Agricultural, District 15, in Baldwin County and is not a part of this application.

Mr. Peterson noted that this is not a compatible transition of the zoning districts; therefore, he would not be in favor of the pre-zoning.

Chairwoman asked for a motion on the associated applications.

A **Motion** was made by Mr. Peterson and **Seconded** by Mr. Olen **to set forth an unfavorable recommendation to the City Council to pre-zone the subject property as the request is inconsistent with the objectives listed in the Comprehensive Plan. There was no discussion on the motion. The Motion carried unanimously.**

The Commission, Staff and Attorney discussed the consequences that an unfavorable recommendation to pre-zone would have upon the related annexation petition.

A **Motion** was made by Mr. Peterson and **Seconded** by Mr. Olen **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 unanimously.**

The next order of business is an administrative presentation.

An introductory presentation was given by Jason Wooten, representative of Wooten Engineering on behalf of John Adcock, Adcock Management, requesting the Planning Commission consider allowing multi-family structures which contain twenty-four dwelling units in lieu of twenty dwelling units per building; structures will not exceed two hundred feet in length. He advised that the design would preserve tree life, lessen earthwork, lessen the impacts on D'Olive Creek and the wetlands, and increase the buffer to the west.

Mr. Dungan stated that he has reviewed Article 8, Definitions, and Article 16, Parking Districts, of the ordinance and advised that the modification is not something that this body can do.

Mr. Olen suggested adding the modification to the list of proposed amendments to the Land Use Ordinance.

No action taken; Commission recommended that staff draft language to allow the proposed amendment to the Land Use Ordinance.

The next order of business is public participation.

Chairwoman 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 commented that a developer should be able to determine the design of a project.

The next order of business is director's comments.

Director presented the upcoming meeting dates. Site Preview is July 14, and the Regular Meeting is July 22, 2021. Happy Fourth of July!

There being no further business, the meeting was adjourned at 6:25 p.m.

Respectfully submitted by:



Jan Vallecillo, Planning Coordinator

Approved: July 22, 2021



Marybeth Bergin, Chairwoman