

**The City of Daphne
Planning Commission Minutes
Regular Meeting of November 16, 2023
Council Chamber, City Hall - 5:00 P.M.**

Call to Order:

The Chairman called the regular meeting of the City of Daphne Planning Commission to order at 5:00 p.m. The number of members present constitutes a quorum.

Call of Roll:

Members Present:

Kevin Spriggs, Secretary
Ronnie Huskey
Andrew Prescott, Chairman
Richard Johnson
Steve Olen
Nathan Jones

Staff Present:

Adrienne Jones, AICP, Director of Community Development
Jan Vallecillo, Planning Coordinator
Patrick Dungan, Attorney
Joshua Newman, City Engineer
Jesi Ward, Environmental Programs Manager

The Chairman asked for input regarding the October 26, 2023 regular meeting minutes presented by staff. There being none, minutes stand approved as submitted.

The Chairman called for the next order of business: Resubdivision of Lot 2 DISC Subdivision Preliminary/Final Subdivision Plat Review.

An introductory presentation was given by the agent, Heath Larson. He provided a summarization of the proposed subdivision as presented on the meeting agenda and stated the City of Daphne plans to retain ownership of Lot 2 and donate Lot 1 to the Baldwin County Board of Education.

The Chairman opened the floor for public hearing.

Barbara Winton, 29298 Canterbury Road, asked about the type and purpose of the subdivision.

Mr. Johnson stated the purpose of the western most lot is the expansion of the school campus and construction of a softball field with additional parking.

Mr. Olen said it is a subdivision because the applicant is requesting to subdivide one lot into two.

The Chairman closed the floor to the public hearing.

Hearing no further comments from the commissioners, the Chairman called for a motion.

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A motion was made by Mr. Johnson and seconded by Mr. Huskey to approve the Resubdivision of Lot 2, DISC Subdivision preliminary/final subdivision plat. There was no discussion. The motion carried unanimously.

The Chairman called for the next order of business: Hope Vineyard, Phase 1A and 3, Final Subdivision Plat Review and Street Acceptance.

An introductory presentation was given by the agent, Jason Estes. He provided a summarization of the final subdivision plats and petitions for street acceptance as presented on the meeting agenda.

The Chairman asked for staff comments. Mr. Estes responded all outstanding deficiencies have been addressed, except for the replacement of damaged pipe and said that the developer will provide a landscape bond and correspondence from the landscape architect to guarantee stabilization and replacement of the sod.

Mr. Newman confirmed that Mr. Estes had shown us photos of the project and advised that all issues have been addressed, except for the replacement of the pipe.

Mr. Johnson asked about the status of comments from Belforest Water Authority, Baldwin County and whether signs have been placed. Mr. Estes advised that all issues have been addressed, except for the acceptance of the improvements on County Road 13 by Baldwin County.

Mr. Olen asked about the status of the installation of lighting, stop signs and barricades. Mr. Newman stated the remaining items have been addressed, except lighting which will not be installed until the subdivision has power. Mrs. Ward stated there are still areas of sod that are still in question because final stabilization was accomplished by using seed and mulch on the bare soils and advised that the city may need some type of recourse if there is an erosion issue.

Mr. Johnson said the subdivisions are covered under an ADEM permit so there is continuing ability to have enforceable action if there is an erosion issue. With the cooling weather and rainfall, the winter mix will take and the brown sod will come back in the Spring. The developer will not have actionable ability to convey lots until the items are one hundred percent addressed and a plat is signed.

Hearing no further comments from the commissioners, the Chairman called for a motion.

After two failed attempts to render a decision, a motion was made by Mr. Spriggs and seconded by Mr. Olen to table the Hope Vineyard, Phase 1A final subdivision plat until the December 14, 2023 Regular Planning Commission meeting. There was no discussion. The motion carried. Mr. Prescott and Mr. Johnson dissented.

A motion was made by Mr. Olen and seconded by Mr. Johnson to table the Hope Vineyard, Phase 1A street acceptance until the December 14, 2023 Regular Planning Commission meeting. There was no discussion. The motion carried unanimously.

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The Chairman noted that Phase 3 issues were discussed during the Phase 1A presentation. Mrs. Jones advised there were fewer and yet different issues with regard to Phase 3.

Mr. Newman stated all of the issues from his report have been addressed, except for the installation of a stop sign and barricades. Mrs. Ward stated that her issues are the same as with Phase 1A.

Ms. Vallecillo raised the issue of the missing sidewalk segment discussed at the Site Preview meeting. Mrs. Jones asked for clarification as to how the sidewalk deficiency would be addressed. Mr. Estes advised that the developer would like to donate to the sidewalk fund an amount equivalent to the cost of the installation. Mrs. Jones noted when a valuation is presented, it would be verified by the City Engineer.

Mr. Huskey asked would we make a note of the exception if it does not comply with the Land Use Ordinance. Mrs. Jones stated that would be appropriate.

Mr. Olen asked about the procedure for the applicant to request a sidewalk modification. Mrs. Jones advised it is preferred that the applicant make the request in writing for the next meeting.

Mr. Johnson quoted the Land Use Ordinance, "There will be a sidewalk on each side of the street and for those that front on common areas will be installed prior to final plat approval." Mr. Olen and Mr. Huskey agreed with Mr. Johnson's comments.

A motion was made by Mr. Olen and seconded by Mr. Huskey to table the Hope Vineyard, Phase 3 final subdivision plat until the December 14, 2023 Regular Planning Commission meeting. There was no discussion. The motion carried.

A motion was made by Mr. Olen and seconded by Mr. Spriggs to table the Hope Vineyard, Phase 3 street acceptance plat until the December 14, 2023 Regular Planning Commission meeting. There was no discussion. The motion carried.

The Chairman called for the next order of business: public participation.

The Chairman opened the floor for public participation. The floor was closed after no one came forward to speak.

The Chairman called for the next order of business: attorney's report.

Mr. Dungan had no report.

The Chairman called for the next order of business: commissioner's comments.

None presented.

The Chairman called for the next order of business: director's comments.

Director stated Happy Thanksgiving.

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There being no further business, the meeting was adjourned at 5:30 p.m.

Respectfully submitted by:


Jan Vallecillo, Planning Coordinator

Approved: December 14, 2023


~~Andrew Prescott, Chairman~~
John Peterzon, VICE-CHAIRMAN