

The City of Daphne  
Planning Commission Minutes  
Regular Meeting of November 19, 2020  
Council Chamber, City Hall - 5:00 P.M.

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Call to Order:

Chairman 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:

James "Bo" White  
Phillip Hodgson, Secretary  
Andrew Prescott, Vice Chairman  
Kevin Spriggs  
Steve Olen  
Marybeth Bergin, Chairman

Staff Present:

Adrienne Jones, AICP, 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 October 22, 2020. There being none, minutes are approved as submitted.*

Chairman stated the next order of business is a request for Planning Commission approval of a psychic services business at 29159 U.S. Highway 98. She explained that the Commission will hold a public hearing because the ordinance does not specifically address this use in the Land Use and Development Ordinance. She noted that the Planning Commission previously held a public hearing and residents spoke in opposition. She stated the Planning Commission granted approval through December 31, 2020; prior to expiration of the business license to operate at this location, the business owner must seek Planning Commission approval again.

A presentation was given by Jennifer Marks, the representative, requesting consideration of Planning Approval of a psychic services business in a B-2 zone at 29159 U.S. Highway 98, north of the intersection of Shriner Avenue and U.S. Highway 98.

Chairman asked for Commission questions or comments.

Ms. Jones noted as the owner of the building, Planning Commissioner Spriggs, will recuse himself from discussion and action on the agenda item.

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

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A **Motion** was made by Mr. Hodgson and **Seconded** by Mr. Spriggs *to grant Planning Commission approval for a psychic studio. There was no discussion on the motion. The Motion carried. Mr. Spriggs abstained.*

The next order of business is preliminary plat review for the Reserve at Daphne Subdivision, Phase Three.

An introductory presentation was given by Al Finley, representative of Dewberry, requesting preliminary plat review of an eighty-two lot subdivision consisting of approximately thirty-six point zero nine acres located north of the intersection of County Road 64 and Montelucia Way. He stated that the outstanding deficiencies have been addressed.

Mr. Anderson, representative of Dewberry, confirmed that the roadway issue has been addressed.

Chairman stated deficiencies outlined by the Public Works Director have been addressed. Ms. Campbell confirmed.

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

A **Motion** was made by Mr. Prescott and **Seconded** by Mr. Hodgson *to approve the Reserve at Daphne Subdivision, Phase Three preliminary subdivision plat. There was no discussion on the motion. The Motion carried unanimously.*

The next order of business is a request for pre-rezoning and annexation for AJD Family Limited Partnership, L.L.C.

An introductory presentation was given by Gavin Willisson, representative of No Off Season, requesting pre-zoning and annexation of one-point eight four acres located southeast of the intersection of County Road 64 and Friendship Road.

Chairman asked for Commission questions or comments.

Mr. Hodgson asked the reason for the pre-zoning application. Mr. Willisson responded for annexation into the city.

Chief White asked about the plans for this site. Mr. Willisson stated we propose to expand the existing facility and to construct outdoor amenities. He also stated the adjacent property owners that will convey the private easement for access to this parcel are present, if you have any questions.

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

A **Motion** was made by Mr. Prescott and **Seconded** by Mr. Hodgson *to set forth a favorable recommendation for the pre-zoning of the subject property to B-2, General Business. There was no discussion on the motion. The Motion carried unanimously.*

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A **Motion** was made by Mr. Hodgson and **Seconded** by Mr. Prescott **to set forth a favorable recommendation for annexation of the subject property into the Daphne corporate limits. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is a master plan revision for Jubilee Farms Subdivision.

An introductory presentation was given by Al Finley, representative of Dewberry, requesting a master plan revision for Jubilee Farms Subdivision.

Ms. Jones stated that the proposed revision to the master plan is a minor adjustment that effects Jubilee Farms Subdivision, Phases Eleven, Twelve and Fourteen.

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

A **Motion** was made by Mr. Spriggs and **Seconded** by Mr. Olen **to approve the Jubilee Farms Subdivision PUD master plan amendment. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is a request for a second extension of the Reserve of Daphne, Phase Two, Saint Augustine, Phase Five, and Diamante Subdivision, Phase Three.

An introductory presentation was given by Al Finley, representative of Dewberry, requesting approval of a second extension of preliminary plat approval for the Reserve of Daphne Subdivision, Phase Two, Saint Augustine Subdivision, Phase Five, and Diamante Subdivision, Phase Three set to expire in November.

Chairman asked for Commission questions or comments.

Ms. Jones noted this is the final extension and upon expiration, the developers must resubmit the applications for preliminary plat review.

Chairman clarified that the extension requests for the Reserve of Daphne Subdivision, Phase Two and Saint Augustine Subdivision, Phase Five are for preliminary plat approval; however, the one Diamante Subdivision, Phase Three is for preliminary plat approval and the site disturbance permit.

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

A **Motion** was made by Mr. Olen and **Seconded** by Mr. Spriggs **to approve a one-year extension of the Reserve of Daphne Subdivision, Phase Two and Saint Augustine Subdivision, Phase Five preliminary plats. There was no discussion on the motion. The Motion carried unanimously.**

A **Motion** was made by Mr. Prescott and **Seconded** by Mr. Spriggs **to approve a one-year extension of Diamante Subdivision, Phase Three preliminary plat and related site disturbance permit. There was no discussion on the motion. The Motion carried unanimously.**

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The next order of business is an administrative presentation of the Storm Water Facility Maintenance Program.

Ms. Campbell presented an overview of the proposed implementation of the Storm Water Facility Maintenance Program and advised of the distribution of correspondence to each POA in January 2021. She stated this is a part of the enforcement of post-maintenance inspection requirement of detention facilities as a permitted municipality under our MS4 Phase II General Permit.

Chairman asked for Commission questions or comments.

Mr. Spriggs suggested a discussion with Mayor and City Council to request participation in the cost of the inspection of detention facilities. Ms. Campbell requested the attorney address his comment.

Mr. Dungan advised that there is a provision of the statute that allows for the assessment of a property owner as an ad valorem tax; he reiterated that the MS4 requires an annual inspection of detention facilities by the POA; otherwise, the city must conduct one. Mr. Olen commented that a liability exists with maintenance of private detention facilities.

Ms. Campbell stated that the city does not have the staff to continue to conduct the inspections. She advised no action is necessary. This presentation was for informational purposes.

The next order of business is a proposed amendment to the Parking Provisions and Definition of Terms of the Land Use and Development Ordinance.

Ms. Jones provided an overview of a proposed amendment to the Parking Provisions and Definition of Terms of the Land Use and Development Ordinance to Commissioners and asked for questions and/or comments in preparation of a recommendation to the City Council at the December meeting.

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.

Commissioners welcomed Kevin Spriggs and Steve Olen to the Planning Commission.

The next order of business is director's comments.

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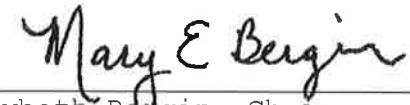
Ms. Jones stated that the City Council approved ORDG, L.L.C. zoning amendment from B-3, Professional Business, to R-6(G), Garden/Patio Home, but denied John & Deborah Kim rezoning from R-2, Medium Density Single Family, to B-3, Professional Business, on November 16, 2020. She stated Marybeth Bergin, Andrew Prescott, Steve Olen, Joel Coleman, and Betsy Schneider are the members of the Comprehensive Plan Consultant Selection Committee. Site Preview is December 9 and the Regular Meeting is December 17, 2020. She mentioned the upcoming Christmas holiday festivities planned for the city and wished everyone a Happy Thanksgiving!

*There being no further business, the meeting was adjourned at 5:47 p.m.*

*Respectfully submitted by:*

  
Jan Vallecillo, Planning Coordinator

Approved: December 17, 2020

  
Marybeth Bergin, Chairman