

The City of Daphne
Planning Commission Minutes
Regular Meeting of January 27, 2022
Council Chamber, City Hall - 5:00 P.M.

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:

James "Bo" White was excused @ 6:09 p.m.
Adam Manning
Ronnie Huskey
John Peterson
Marybeth Bergin, Chairwoman
Kevin Spriggs
Steve Olen
Andrew Prescott, Vice Chairman

Staff Present:

Adrienne Jones, AICP, Director of Community Development
Jan Vallecillo, Planning Coordinator
Patrick Dungan, Attorney
Troy Strunk, Executive Director, City Development
Josh Newman, City Engineer
Tim White, Environmental Programs Manager

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 December 16, 2021. There being none, minutes are approved as submitted.**

Chairwoman stated staff requested that the Noble at Daphne application be tabled until the regular meeting of February 24, 2022.

The next order of business is a wetland buffer modification request and site plan review for KinderKids.

An introductory presentation was given by Joe Asarisi of Asarisi & Associates requesting site plan review of a daycare center with associated parking, drainage, and landscaping located southeast of the intersection of County Road 64 and Friendship Road. He stated a waiver to the wetland buffer requirement is no longer necessary because no permanent structures will be constructed in the wetland area, but the stormwater detention pond will require a modification to the twenty-five foot setback.

Chairwoman asked about staff comments. Mr. Newman stated that his comments were mainly about ADA requirements.

Mr. Spriggs stated the delineation provided is incorrect.

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Mr. Asarisi stated there are no permanent structures in the wetland buffer. He stated it is a grassed area within a fence that encompasses the building.

Chairwoman asked for Commission questions or comments and about restricting structures in the wetlands. Ms. Jones advised that the Commission could grant approval conditioned upon prohibiting permanent structures in the wetlands and that would be enforceable by Code Enforcement.

Mr. Tim White commented this ditch may have wetland qualities and could be jurisdictional, but Corps of Engineer approval will be required for the installation of the sidewalk.

Chairwoman clarified that action is necessary on the modification to the wetland buffer requirement and setback requirement for the stormwater detention pond and approval of the site plan.

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

A Motion was made by Mr. Prescott Seconded by Mr. Olen to approve KinderKids detention basin setback modification. There was no discussion on the motion. The Motion carried unanimously.

A Motion was made by Mr. Olen and Seconded by Mr. Prescott to grant limited approval to modify the wetland buffer for the purpose of constructing a sidewalk and for the grading in connection with the installation of the sidewalk.

During discussion, Mr. Peterson expressed his concerns about the encroachment into the wetlands during the construction of the parking lot.

An Amendment to the main Motion was made by Mr. Olen and Seconded by Mr. Peterson to grant limited approval to modify the wetland buffer for the purpose of grading in connection with the parking lot.

The Chair called for a vote on the motion to amend. There was no discussion on the motion. The Motion to amend carried unanimously.

The Chair called for a vote on the motion as amended to grant limited approval to modify the wetland buffer for the purpose of constructing a sidewalk and for the grading in connection with the installation of the sidewalk and parking lot. There was no further discussion on the motion. The Motion carried unanimously.

A Motion was made by Mr. Peterson and Seconded by Mr. Manning to approve KinderKids site plan. There was no discussion on the motion. The Motion carried unanimously.

The next order of business is site plan review for Stone of the South.

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An introductory presentation was given by Chris Lieb of Lieb Engineering requesting site plan review of a landscape supply business with associated drainage, parking and landscaping located northwest of Stanton Road and Stanton Road South.

Chairwoman asked about staff comments. Mr. Newman responded his comments were mainly about ADA requirements.

Chairwoman asked for Commission questions or comments.

Mr. Prescott asked about the location of the perimeter sidewalk. Mr. Newman stated that the sidewalk is required to be on public property to preserve right-of-way for transportation improvements.

A Motion was made by Mr. Prescott and Seconded by Mr. Spriggs to approve Stone of the South site plan. There was no discussion on the motion. The Motion carried unanimously.

The next order of business is site plan review for Blueprint Performance.

An introductory presentation was given by David Shumer of Barton & Shumer Engineering requesting site plan review of an athletic training facility with associated athletic fields, parking, drainage, and landscaping located southeast of the intersection of County Road 64 and Friendship Road. He stated Mr. Newman's comments were about ADA requirements and the parking lot.

Chairwoman asked for Commission questions, comments and a motion.

A Motion was made by Mr. Olen and Seconded by Mr. Manning to approve Blueprint Performance site plan. There was no discussion on the motion. The Motion carried. Mr. White abstained.

The next order of business is a rezoning request for Great Magnolia Properties, L.L.C. and the Standard Family Partnership.

An introductory presentation was given by Chad Rome of U-Haul Company of Alabama of a request to rezone a four point one-three acre parcel from B-1, Local Business, to B-2, General Business, located southeast of Whispering Pines and U.S. Highway 98 for a storage facility and U-Haul rental center. To address concerns expressed at the prior meeting, an open space conservation easement that would protect the area of concern in perpetuity has been presented for consideration.

Chairwoman stated that staff had recommended B-2(a) zoning, but truck rental isn't permitted.

Mr. Dungan clarified that the Table of Permitted Uses does not have a specific category for leasing vehicles in B-2(a) or B-2, but there is reference to the NAICS code to find similar principal and incidental uses.

Mr. Olen enumerated opposition to rezoning this property to B-2 for a storage and rental facility adjacent to the ten residential homes and the civic center. He stated that the property should remain B-1.

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Mr. Spriggs commented that a commercial district should not be regulated as to generate revenue and employment opportunities for our community, and the open space conservation easement presented appears sufficient to protect the adjacent residential neighborhood.

Chairwoman opened the floor to public participation.

Michael Reinhart, 2606 and 2608 Old Spanish Trail, spoke in favor of the rezoning and asked about the buffer zone proposed between this property and residents of Old Spanish Trail. He expressed concerns about noise and traffic.

Chairwoman stated the open space conservation easement is thirty-feet; the buffer zone shown is fifty-foot and the nearest structure is sixty-eight feet from the property line.

Marvin Usseery, 6475 War Eagle Drive, and representative of Great Magnolia Properties, L.L.C. and the Stanard Family Partnership spoke in favor of the rezoning and read into the record correspondence from the owners.

Chairwoman closed public participation.

During rebuttal, Mr. Rome stated U-Haul is willing to extend the buffer and create the open space conservation easement to protect residential development along Old Spanish Trail.

Ms. Jones advised of B-2(a) uses permissible in the Land Use and Development Ordinance. She stated that the Council has previously approved rezoning to a B-2(a) district adjacent to a residential neighborhood for additional protection.

Chairwoman closed public participation and asked for a motion.

A Motion was made by Mr. Spriggs and **Seconded** by Mr. Peterson **to set forth a favorable recommendation to City Council, conditioned upon the recording of a conservation easement along Old Spanish Trail. There was no discussion on the motion. The Motion carried. Mr. Olen and Ms. Bergin dissented.**

Mr. White was excused @ 6:09 p.m.

The next order of business is public participation.

Chairwoman asked for public participation.

Al Guarisco presented traffic concerns and a request for the city to consider the extension of Johnson Road.

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

Mr. Dungan stated no report.

The next order of business is commissioner's comments.

None presented.

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The next order of business is director's comments.


Director presented the upcoming meeting dates. Site Preview is February 16, and the Regular Meeting is February 24, 2022. She advised that the Orion Planning + Design is hosting Planning Week in March and updates are to be provided.

There being no further business, the meeting was adjourned at 6:15 p.m.

Respectfully submitted by:


Jan Vallecillo, Planning Coordinator

Approved: February 24, 2022


Marybeth Bergin, Chairwoman