

**The City of Daphne
Planning Commission Minutes
Regular Meeting of February 23, 2023
Council Chamber, City Hall - 5:00 P.M.**

Call to Order:

Chairwoman Bergin called the regular meeting of the City of Daphne Planning Commission to order at 5:01 p.m. The number of members present constitutes a quorum.

Call of Roll:

Members Present:

Kevin Spriggs
Adam Manning
John Peterson, Secretary
Marybeth Bergin, Chairwoman
Nathan Jones
Steve Olen

Staff Present:

Adrienne Jones, AICP, Director of Community Development
Jan Vallecillo, Planning Coordinator
Patrick Dungan, Attorney
Troy Strunk, Executive Director, City Development
Joshua Newman, City Engineer
Phillip Adams, Site Containment Officer

Chairwoman called for the first order of business: approval of the minutes.

Chairwoman asked for input regarding the January 26, 2023 minutes presented by staff. There being none, minutes stand approved as submitted.

Chairwoman called for the next order of business: Bradley-Cina preliminary/final plat review.

An introductory presentation was given by the agent, Sharon Kimbrough. She stated that she had submitted a request to table the application until the regular meeting of March 23, 2023. Mrs. Jones also noted that the applicant has consented to waive the thirty-day requirement.

No discussion from commissioners. No action taken.

Chairwoman called for the next order of business: South Branch preliminary/final and South Branch, Phase One preliminary plat review.

An introductory presentation was given by the agent, Jason Wooten. He stated that he had submitted a request to table the applications until the regular meeting of March 23, 2023. Mrs. Jones also noted that the applicant has consented to waive the thirty-day requirement.

**The City of Daphne
Planning Commission Minutes
Regular Meeting of February 23, 2023
Council Chamber, City Hall - 5:00 P.M.**

No discussion from commissioners. No action taken.

Chairwoman called for the next order of business: Tulum Mexican Cuisine site plan review.

An introductory presentation was given by the contractor, Grant Mooring. He summarized the site plan as presented on the meeting agenda.

Chairwoman asked for staff comments. Mr. Newman stated his comments have been addressed, a turn lane is shown on the revised plans, and an ALDOT permit must be acquired prior to issuance of a site disturbance permit.

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

A motion was made by Mr. Peterson and seconded by Mr. Spriggs to approve the Tulum Mexican Cuisine site plan. There was no discussion. The vote carried unanimously.

Chairwoman called for the next order of business: The Reserve at Daphne, Phase Two final plat.

An introductory presentation was given by the agent, Andy Bobe. He provided an update on the remediation, sedimentation and stabilization of construction of the subdivision. He advised that staff comments from Belforest Water Authority, Environmental Programs Manager, Fire Marshal and City Engineer remain outstanding and are being addressed.

A presentation was made by 68 Ventures' general counsel, Greg Bordenkircher. He stated that at the time of inspection, the checklist and final punch list were consistent with the city statute and exceeded the ninety-percent requirement.

Chairwoman asked for staff comments. Mr. Newman stated that the stabilization of this site is a priority.

Mr. Olen expressed his concerns about off-site sedimentation onto an adjacent property owner and in the detention pond and wetlands. He stated with regard to sustainability of the runoff, this site is currently in violation of Article 17, Section 4(f)(2) of the subdivision regulations.

Mr. Dungan advised that Article 17, Section 4(a), and all of Article 11, as a general rule, state that no less than ninety percent of the minimum improvements shall be installed and certified by the engineer of record prior to presentation of the final plat and must meet the ninety percent threshold thereafter for approval; however, the Planning Commission can delay action for thirty days from today, if the developer consents to another thirty calendar days.

A motion was made by Mr. Olen and seconded by Mr. Spriggs to deny The Reserve at Daphne, Phase Two final plat.

**The City of Daphne
Planning Commission Minutes
Regular Meeting of February 23, 2023
Council Chamber, City Hall - 5:00 P.M.**

During discussion, Mr. Olen reiterated his comments about stabilization, sedimentation, erosion, functionality of the drainage system and stated that the subdivision application does not comply with Article 18-6.

Mr. Newman said the subdivision does not comply with Article 18 with regard to drainage, sediment or erosion control.

Mrs. Jones asked that the commission consider tabling the application. Mr. Spriggs and Mr. Peterson stated they are not opposed to tabling the application.

The original motion was withdrawn.

Mr. Olen asked does the initial thirty days require consent. Mr. Dungan responded no.

Chairwoman questioned whether the subdivision in violation of the zoning or subdivision regulations. Mrs. Jones advised the Daphne Land Use and Development Ordinance is a unified code with subdivision and zoning regulations contained within.

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

A motion was made by Mr. Spriggs and seconded by Mr. Peterson to table the application to the regular meeting of March 23, 2023. There was no discussion. The vote carried unanimously.

Chairwoman called for the next order of business: Hope Vineyard master plan review and Hope Vineyard, Phases 1A, 1B, 2A and 2B.

An introductory presentation was given by the agent, Justin Britt. He summarized the master plan revision and preliminary plat reviews as presented on the meeting agenda.

Chairwoman Bergin opened the floor for a public hearing. The floor closed after no one came forward to speak.

Hearing no comments from the commissioners, the chairwoman called for a motion on the master plan revision.

A motion was made by Mr. Spriggs and seconded by Mr. Peterson to approve the Hope Vineyard master plan revision. There was no discussion. The vote carried unanimously.

Hearing no comments from the commissioners, the chairwoman called for a motion on the associated applications.

A motion was made by Mr. Spriggs and seconded by Mr. Olen to approve Hope Vineyard, Phases 1A, 1B, 2A and 2B preliminary subdivision plat review. There was no discussion. The vote carried unanimously.

Chairwoman called for the next order of business: public participation.

**The City of Daphne
Planning Commission Minutes
Regular Meeting of February 23, 2023
Council Chamber, City Hall - 5:00 P.M.**

Chairwoman opened the floor for a public hearing.

An introductory presentation was given by the owner, Blake Kennedy, of Lot 4, TimberCreek Business Park for the development of a state beauty supply.

Mrs. Jones advised that a barber, beauty shop or beauty supply store is not a permissible use in a B-1 zone. Prior to purchasing the property, staff told the representative that the property is not zoned properly for such use. Mr. Kennedy is here seeking a recommended avenue for him to use the property for the described use.

Chairwoman asked for an overview of the Table of Permitted Uses. Mr. Dungan provided an overview of similar uses allowed in B-1. Mrs. Jones stated this can be achieved by a modification to the Table of Permitted Uses.

Mr. Olen commented that the owner purchased the property and was aware of the problem and stated that he is opposed to changing the ordinance for a single use.

Mrs. Jones advised a request will be on the agenda next month in the form of a formal presentation for your consideration.

The chairman closed the floor to public participation.

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

Mr. Dungan had no report.

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

Mr. Olen commended Josh Newman for his professionalism in the manner that he handled the final plat presentation for The Reserve at Daphne, Phase Two.

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

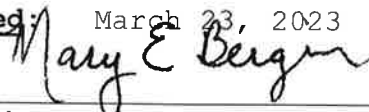
Mrs. Jones advised that March 15th and March 23rd are the upcoming meeting dates.

There being no further business, the meeting was adjourned at 5:55 p.m.

Respectfully submitted by:


Jan Vallecillo, Planning Coordinator

Approved: March 23, 2023


Marybeth Bergin, Chairwoman