

**The City of Daphne
Planning Commission Minutes
Regular Meeting of June 23, 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 5:07 p.m. The number of members present constitutes a quorum.

Call of Roll:

Members Present:

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

Staff Present:

Adrienne Jones, AICP, Director of Community Development
Jan Vallecillo, Planning Coordinator
Patrick Dungan, Attorney arrived @ 5:08 p.m.
Troy Strunk, Executive Director, City Development
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 May 26, 2022. There being none, minutes are approved as submitted.***

The next order of business is site plan review for BN Properties.

An introductory presentation was given by David Shumer, Barton Shumer Engineers, requesting site plan review of a single story office and reserved space for a future two-story office/retail building with associated parking, drainage, and landscaping located southwest of the intersection of Van Avenue and Main Street. He stated plan revisions include access, addition of bio-retention in the northwest corner, presentation of a traffic study, and the second building identified as proposed in lieu of the presentation of a master plan.

Chairwoman asked for Commission questions or comments and advised of staff comments. Mr. Strunk responded that the City Engineer and Fire Marshal's deficiencies have been addressed; Ms. Jones noted continued deficiencies of the landscape plan.

Mr. Peterson asked about the request for a right in/right out on Main Street and a traffic study. Mr. Strunk advised that the Fire Marshal had an issue with the requirement of a right in/right out on Main Street and the City Engineer has reviewed the traffic study.

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

A **Motion** was made by Mr. Spriggs and **Seconded** by Mr. Peterson **to approve BN Properties site plan contingent upon providing full access to Main Street, satisfactory City Engineer review of the final Traffic Impact Study, and City review of the landscape plan. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is site plan review for Haley's Little Fish.

An introductory presentation was given by Mike Kilgore, Reed Hayes Construction, requesting planning commission approval and site plan review of a swim class facility with associated parking, drainage, and landscaping located southwest of the intersection of Pollard Road and American Way.

Chairwoman asked for Commission questions or comments and advised of staff comments.

Ms. Jones noted that the owner is no longer requesting a sidewalk exemption and noted that plan revisions include sidewalk and drainage.

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

A **Motion** was made by Mr. Prescott and **Seconded** by Mr. Hodgson **to grant planning approval for a swim class facility as requested. 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 Haley's Little Fish site plan contingent upon staff approval. There was no discussion on the motion. The Motion carried. Mr. Peterson dissented.**

The next order of business is final plat review for Saint Augustine Subdivision, Phase Five.

An introductory presentation was given by Al Finley, Dewberry, requesting final plat review of Saint Augustine Subdivision, Phase Five located northeast of County Road 64 on Rigsby Road. He stated this phase is southeast of and adjacent to Saint Augustine, Phase Four.

Chairwoman asked about staff comments. Mr. Finley advised that all outstanding deficiencies have been addressed.

Chairwoman asked for Commission questions or comments and a motion.

A **Motion** was made by Mr. Peterson and **Seconded** by Mr. Prescott **to approve Saint Augustine Subdivision, Phase Five final subdivision plat as presented. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is final plat review and street acceptance for Jubilee Farms Subdivision, Phase Fourteen.

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An introductory presentation was given by Al Finley, Dewberry, requesting final plat review and street acceptance for Jubilee Farms Subdivision, Phase Fourteen located southeast of Austin Road and Alabama Highway 181. He stated this phase is in the southeast quadrant of the overall development.

Chairwoman advised the sidewalk requirement does not apply because the lots front the street and noted there is no common area in this phase. She stated deficiencies have been addressed.

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

A Motion was made by Mr. Hodgson and Seconded by Mr. Prescott to approve Jubilee Farms Subdivision, Phase Fourteen 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 the City Council to accept the rights-of-way in Jubilee Farms Subdivision, Phase Fourteen. There was no discussion on the motion. The Motion carried unanimously.

The next order of business is preliminary plat review for Hope Vineyard, Phase Three.

An introductory presentation was given by Al Finley, Dewberry, requesting preliminary plat review of a twenty-seven lot subdivision consisting of eight-point seven-three acres located west of the intersection of Songbird Drive and Avernus Loop. He stated this phase is in the northeast quadrant of the overall development and advised that this phase had the same issues as the previously approved phases that have been resolved.

Chairwoman asked for Commission questions or comments.

Mr. Huskey asked about the expectations of solid waste services to Lots 225, 226 and 227. He noted that a stub-out is a safety issue discussed at several meetings because the city should be providing services in accordance to the ordinance.

Mr. Spriggs asked about the issue with the stub-out.

Mr. Huskey stated that he has asked in the past about a turnaround area, cul-de-sac, hammerhead or standard location for collection. He noted that a stub-out prohibits a service unit from safely exiting a subdivision without the necessity of backing into the street. Mr. Britt responded that a subdivision design must meet the International Fire Code.

Mr. Britt commented that a reconfiguration of the subdivision would eliminate Lot 227. Mr. Huskey responded you added a lot at the risk of the safety of the citizens.

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Mr. Spriggs asked about the purpose of the stub-out. Mr. Britt stated that it is required by staff. Chairwoman noted staff required a connection to the right-of-way of the undeveloped property to the north. Mr. Strunk noted it is a standard practice of the City of Daphne and other communities and is in the International Fire Code.

Chairwoman asked for Commission questions or comments. She opened the floor to public participation.

Tom Singer, 9519 Camberwell, spoke and expressed his concerns about the construction entrance, buffer requirements, utilities and density of the lots.

Chairwoman closed public participation and asked for a motion.

A Motion was made by Mr. Hodgson and **Seconded** by Mr. Manning **to approve Hope Vineyard, Phase Three preliminary subdivision plat. There was no discussion on the motion. The Motion carried. Mr. Huskey dissented.**

The next order of business is an administrative presentation of proposed amendments to the Land Use and Development Ordinance.

Ms. Jones stated the proposed amendments are pertinent articles of the Land Use Ordinance with minor modifications submitted for review, discussion and requested action on individual topics. She provided an overview relative to the moratorium on multi-family developments and a revision to parking requirements for assisted living facilities and townhouses. She noted that upon completion of the comprehensive plan additional revisions may be necessary and/or warranted.

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

A Motion was made by Mr. Olen and **Seconded** by Mr. Spriggs **to set forth a favorable recommendation to City Council to amend Articles 13, District Requirements, and 16, Parking Requirements for all Districts, of the Land Use and Development Ordinance regarding multi-family dwellings. There was no discussion on the motion. The Motion carried unanimously.**

Ms. Jones advised that the ordinance does not establish a density for the residential component of mixed use developments located in commercial districts of the Olde Towne Daphne Development District and Village Overlay District. She stated this amendment sets a density and parking for mixed use.

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

A Motion was made by Mr. Olen and **Seconded** by Mr. Prescott **to set forth a favorable recommendation to City Council to amend Articles 14, Olde Towne Daphne District, and 36, The Village Overlay District, of the Land Use and Development Ordinance regarding mixed-use developments in commercial and mixed-use zones. There was no discussion on the motion. The Motion carried unanimously.**

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Ms. Jones stated this amendment would prohibit mini warehouses in all zoning districts, except a Commercial/Industrial zone because they are cannibalizing commercial zones.

After discussion, she noted the proposed amendments to these articles will be discussed further at the next regular meeting.

Ms. Jones stated the amendment to the parking requirements establishes regulations for off-site commercial parking lots. She noted that the Supreme Court determined that parking must be on the same site as the use. An off-site commercial parking lot will be allowed in a Commercial/Industrial zone by right and a B-2, General Business, with Planning Commission approval.

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

A Motion was made by Ms. Bergin and Seconded by Mr. Prescott to set forth a favorable recommendation to City Council to amend Articles 16, Parking Requirements, and 35, Table of Permitted Uses, of the Land Use and Development Ordinance regarding commercial parking lots. There was no discussion on the motion. The Motion carried unanimously.

Mr. Strunk provided an overview for the amendments proposed by the City Engineer and asked about the proposed revisions. Ms. Jones noted that the revisions of the proposed amendments to Articles 11 and 18 will be discussed further at the next regular meeting.

Ms. Jones stated this amendment restricts residential lots in any zone to one residential dwelling and allows build to rent developments in a Planned Unit Development.

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

A Motion was made by Ms. Bergin and Seconded by Mr. Prescott to set forth a favorable recommendation to City Council to amend Articles 9, District Provisions, 12, Establishment of Districts, and 28, Fixed Dwelling Provisions. There was no discussion on the motion. The Motion carried unanimously.

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. He apologized for his late arrival to the meeting.

The next order of business is commissioner's comments.

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Mr. Spriggs requested an amendment to Article 18 to the Land Use and Development Ordinance to prohibit the use of S-inlets.

The next order of business is director's comments.

Director presented the upcoming meeting dates. Site Preview is July 20, and the Regular Meeting is July 28, 2022. Happy 4th of July!

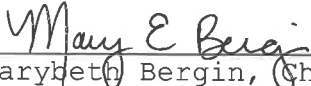
There being no further business, the meeting was adjourned at 6:33 p.m.

Respectfully submitted by:



Jan Vallecillo, Planning Coordinator

Approved: July 28, 2022



Marybeth Bergin, Chairwoman