

**The City of Daphne
Planning Commission Minutes
Regular Meeting of November 18, 2021
Council Chamber, City Hall - 5:00 P.M.**

Draft

Call to Order:

Chairwoman called the regular meeting of the City of Daphne Planning Commission to order at 5:05 p.m. The number of members present constitutes a quorum.

Call of Roll:

Members Present:

James "Bo" White, excused at 6:35 p.m.
John Peterson
Phillip Hodgson, Secretary
Marybeth Bergin, Chairwoman
Andrew Prescott, Vice Chairman
Ronnie Huskey
Kevin Spriggs
Steve Olen

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.

Chairwoman asked for questions, comments or corrections to the minutes ***of the regular meeting of October 28, 2021. There being none, minutes are approved as submitted.***

Chairwoman advised the next order of business is site plan review for the Noble at Daphne. She stated the applicant has requested that the application be tabled until the regular meeting of December 16, 2021.

Chairwoman stated the next order of business is a presentation regarding the comprehensive plan. Robert Barber, representative of Orion Planning and Design, introduced the discovery team and provided an overview of the process for the facilitation and preparation of the Comprehensive Plan, Envision Daphne 2042.

Chairwoman explained that the agenda will be rearranged to allow the following items to be heard first: 24/7 Coin Laundry and Italian Settlement Business Park.

The next order of business is master plan review of 24/7 Coin Laundry.

An introductory presentation was given by Justin Jordan, representative of Vision Consulting, requesting master plan review of the coin laundry located southwest of U.S. Highway 98 and Randall Avenue.

Mr. Jordan provided an overview of the proposed plan for the phasing of 1A, 1B and 2 for review and consideration. He advised that the owner is seeking approval to begin construction of Phase 1A to install the water and sewer connections.

Chairwoman asked for Commission questions or comments and what would facilitate the construction of the next phase. Mr. Jordan stated the issuance of a building permit for an additional suite.

Chairwoman asked about staff comments. Ms. Jones responded none.

Mr. Peterson asked does Phase 1A meet the current parking requirements. Mr. Jordan stated yes.

Mr. Olen asked is there a timeline to begin construction of Phase 1B. Ms. Jones stated no, only if it is made a part of the motion. She advised when the applicant requests a permit for interior building modifications of the additional suites that will trigger the construction of the next phase because parking is not sufficient for additional uses in the building.

Mr. Olen asked for a recommended timeline. Ms. Jones responded eight to twelve months would be reasonable, but if the owner deems the timeline not to be appropriate, he can request an extension. Mr. Broadus advised that it is not reasonable because there have been two tenants in that building for over fifteen years with that parking.

Mr. Spriggs stated we have not required other developers to put a time restraint on a master plan and several Commissioners agreed.

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

A Motion was made by Mr. Spriggs and Seconded by Mr. Hodgson to approve the master/phasing plan for 24/7 Coin Laundry, as presented. There was no discussion on the motion. The Motion carried. Mr. Olen dissented.

The next order of business is an administrative presentation for the Italian Settlement Business Park, Phase One.

An introductory presentation was given by David Shumer, Barton & Shumer Engineering, regarding a note placed on the Italian Settlement Business Park, Phase One subdivision record plat stating the storm water design for the lots requires that all drainage be routed to Friendship Road. He stated the topography and layout of the lots are unfeasible as the note as written.

Chairwoman asked is this a request for an interpretation or an amendment to the note. Mr. Shumer advised an interpretation.

Chairwoman asked for Commission questions or comments.

Mr. Peterson asked if there are other developments in the subdivision. Mr. Shumer responded there is one lot that is developed which has a detention pond located on the west side of the property.

Chairwoman asked the attorney advice on the action required by the Commission. Mr. Dungan stated you should make a motion to adopt the note as presented by the applicant.

A Motion was made by Mr. Olen and Seconded by Ms. Bergin to accept the proposed interpretation of the note on the plat. Said notes will apply to all lots for future development. There was no discussion on the motion. The Motion carried unanimously.

The next order of business is master plan review for the Reserve at Plantation Hills and pre-zoning request for GCOF Reserve of Daphne, L.L.C. and 68V Reserve of Plantation Hills 2021, L.L.C.

An introductory presentation was given by Melissa Currie, representative of Dewberry, requesting master plan review of the Reserve of Plantation Hills, a two-phase, fifty-seven lot subdivision consisting of approximately two hundred and fifty-eight point four-three acres located east and southeast of Robbins Boulevard and Ashbury Hill Road. She stated contained within this master plan are two basic lot sizes: eight one-acre and forty-nine twelve-thousand square foot or larger lots. The lots have been clustered on a small portion of the property to create a conservation type design to leave all of the environmentally sensitive areas undisturbed including the major wetlands, streams and areas of steep topography. She advised that the smaller lots are compatible with the ones in Bay Branch Estates and Plantation Hills Subdivision.

Chairwoman asked for Commission questions or comments and about the City Council public hearing for the fire code issue. Ms. Jones stated at the past City Council meeting that item was on the agenda as a first read, and second read will be first meeting in December.

Chairwoman asked if the motion should be contingent upon approval of the amendment. Ms. Jones responded contingent upon approval of the amendment or a motion to table action until it is final.

Chairwoman asked for Commission questions or comments and for confirmation that the connection points for this portion are all county roads. Ms. Currie stated that is correct.

Ms. Currie stated that the property immediately to the south is a part of an approved overall master plan for the Reserve of Daphne divided at the natural wetland crossing to create two sections.

Chairwoman commented on the concern about the stub out to the remnant parcel between Lots 45 and 46. Ms. Currie responded a future connection is an ordinance requirement.

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

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Mike Cochran, 206 Black Oak Way and a resident of Plantation Hills and member of District 28 Board of Zoning Adjustments, spoke in opposition and expressed his concerns about traffic and safety.

John Anderson, 11478 Bradford Court, spoke in opposition and stated that the requested zoning designation is not compatible with the lot sizes of Bay Branch Estates, Bay Branch Villas or Plantation Hills Subdivision. He also stated that he is concerned about the impact of the development on the wetlands and is opposed to the connection to Braga Drive.

Joseph Valecio, 11430 Bradford Court and President of the Bay Branch Estates POA, spoke in opposition and expressed his concerns about the impact on the infrastructure, schools, safety, property values, and the quality of life. He commented that developers have approached residents about purchasing homes for staging of staff and equipment and advised that is a violation of the covenants and by-laws.

Katie Zipper, Braga Drive, spoke in opposition and expressed her concerns about traffic, the possible development of the remnant parcel as multi-family, lot sizes are not compatible with the existing neighborhoods, and stated that she is opposed to the connection of Braga Drive. She advised of Baldwin County minutes that reflect that the connection to the adjoining subdivisions be prohibited and advised of the construction of a barrier to prohibit through traffic.

Kevin Williamson, 204 Robbins Boulevard, spoke in opposition and expressed his concerns about a possible access through the dirt road to the lift station, noted that the stub-outs shown on the layout are from a previously approved subdivision in 2017, and requested a defined jurisdiction for law enforcement.

Dwight Williams, 11380 Alpine Court, spoke in opposition and expressed his concerns about traffic, preservation of the character of Bay Branch Estates, and is opposed to the connection to Braga Drive.

Jessica Thompson, 27202 Bay Branch Drive, spoke in opposition and expressed her concerns about preservation of the recreation area and drainage easements.

Paul Reynolds, 141 Robbins Boulevard, spoke in opposition and expressed his concerns about traffic congestion on U.S. Highway 90.

Terry Hall, 26754 Bay Branch Drive, spoke in opposition and expressed his concern about the presentation of multiple master plans in order to achieve approval of the original development of approximately two hundred lots.

Jacquie Jackson, 11420 River Birch Street and Vice President of the Bay Branch Estates POA, spoke in opposition and expressed her concerns about presenting various master plans with multiple zonings, the proposed revision to the fire code from a requirement to a recommendation for a secondary access, and the possible submission of the original master plan after adoption.

Erick Buchholz, 27618 Bay Branch Drive, spoke in opposition and expressed his concerns about traffic and safety in the existing neighborhoods and quality of life.

Carol Reynolds, 141 Robbins Boulevard, spoke in opposition and expressed her concerns about maintenance, traffic and safety.

Debbie Cochran, 206 Black Oak Drive, spoke in opposition and expressed her concern about traffic.

During rebuttal, Ms. Currie stated the master plan specifically states that the subject property will be used as single family detached residential. She stated the development of Braga Drive is not a part of this plan. She advised if the Commission votes in the affirmative to accept the proposed master plan, then the number of lots to be developed is set. There are no plans for future development in this area.

Chairwoman closed public participation and asked for a motion on the associated applications.

A Motion was made by Mr. Prescott and **Seconded** by Mr. Peterson **to approve the master plan for the Reserve at Plantation Hills.**

During discussion Mr. Olen asked whether to amend the motion to approve the master plan contingent upon approval of the amendment to the fire code.

An Amendment to the Motion was made by Mr. Olen and **Seconded** by Mr. Peterson **to approve the master plan for the Reserve at Plantation Hills, contingent upon approval of the proposed amendment to the fire code. There was no discussion on the motion. The Amendment carried unanimously.**

There was further discussion on the main motion as amended. The Motion carried unanimously.

A Motion was made by Mr. Olen and **Seconded** by Mr. Peterson **to set forth a favorable recommendation to City Council to pre-zone the property to R-3, High Density Single Family Residential. There was no discussion on the motion. The Motion carried unanimously.**

Chief White was excused @ 6:35 p.m.

The next order of business is a pre-rezoning request for GCOF Reserve of Daphne, L.L.C., James & Barbara Conaway, Joseph Lazzari, Jr. & Tania Lazzari, and Joseph Lazzari.

An introductory presentation was given by Melissa Currie, representative of Dewberry, to rezone one hundred eighty-six point six-five acres located north of the intersection of County Road 64 and Montelucia Way to R-2, Medium Density Single Family Residential, and R-6(G), Garden/Patio Home. She noted that the master plan was approved previously consisting of four phases with access to the south and the west.

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

Jessica Thompson, 27202 Bay Branch Drive, noted this development has access to County Road 54 and County Road 64.

Chairwoman closed public participation and asked for a motion.

Mr. Spriggs asked about Phase One. Ms. Currie responded that it is not a part of this application.

A Motion was made by Mr. Olen and **Seconded** by Mr. Peterson **to set forth a favorable recommendation to City Council to pre-zone the property to R-2, Medium Density Single Family Residential, and R-6(G), Garden/Patio Home. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is an annexation request for GCOF Reserve of Daphne, L.L.C., 68V Reserve of Plantation Hills 2021, L.L.C., James and Barbara Conaway, Joseph Lazzari, Jr. and Tania Lazzari, and Joseph Lazzari.

An introductory presentation was given by Melissa Currie, representative of Dewberry, to request annexation of four hundred and forty-four point nine-seven acres one hundred eighty-six point six-five acres located north of the intersection of County Road 64 and Montelucia Way, and east and southeast of Robbins Boulevard and Ashbury Hill Road as R-2, Medium Density Single Family Residential, R-3, High Density Single Family Residential and R-6(G), Garden/Patio Home.

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

A Motion was made by Mr. Hodgson and **Seconded** by Mr. Olen **to set forth a favorable recommendation to City Council to annex the subject property. There was no discussion on the motion. The Motion carried unanimously.**

Chairwoman advised the next order of business is the Official Zoning and Street Map update has been tabled until the regular meeting of December 16, 2021.

The next order of business is public participation.

Chairwoman asked for public participation.

Comments expressed regarding the proposed pre-zoning amendment and annexation for the Reserve at Plantation Hills pre-zoning amendment were reiterated during public participation.

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

Mr. Dungan stated no report.

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The next order of business is commissioner's comments.

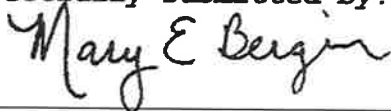
None presented.

The next order of business is director's comments.

Director presented the upcoming meeting dates. Site Preview is December 8, and the Regular Meeting is December 16, 2021. She expressed gratitude for participation in the Orion Planning Envision Daphne 2042 focus groups, advisory groups, and kick-off meeting with City Council on November 17, 2021; and, public participation at this meeting. Happy Thanksgiving!

There being no further business, the meeting was adjourned at 7:15 p.m.

Respectfully submitted by:



Jan Vallecillo, Planning Coordinator

Approved: December 16, 2021



Marybeth Bergin, Chairwoman