

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

Call to Order:

Chairman called the regular meeting of the City of Daphne Planning Commission to order at 5:00 p.m. The number of members present constitutes a quorum.

Call of Roll:

Members Present:

Kevin Spriggs
John Peterson, Secretary
Phillip Hodgson
Andrew Prescott, Chairman
Nathan Jones
Ronnie Huskey
Steve Olen
Adam Manning

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, was excused at 5:30 p.m.

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 September 22, 2022. There being none, minutes are approved as submitted.***

Chairman stated the first order of business is a presentation regarding the comprehensive plan. Robert Barber, representative of Orion Planning and Design, provided an overview of the process for the facilitation and preparation of the Comprehensive Plan, Envision Daphne 2042 and advised that the team will be presenting the final draft in the near future.

The next order of business is a master plan and site plan review for 7 Brew. The application was tabled at the September 22, 2022 regular meeting.

An introductory presentation was given by David Dichiaro, Engineering Design Group, requesting master plan and site plan review for a coffee shop and four-tenant strip shopping center with associated parking, drainage, and landscaping located southeast of the intersection of Alabama Highway 181 and Papa George Street. He advised of ALDOT's review comments regarding the elimination of the left turn lane on Alabama Highway 181, request for a right-out only onto Papa George Street, and staff comments regarding the landscaped island.

Chairman referred to staff comments. Mr. Newman advised his concerns have been addressed and receipt of verbal approval from ALDOT.

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

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

A **Motion** was made by Mr. Olen and **Seconded** by Mr. Hodgson **to approve 7 Brew master plan and site plan contingent upon right-of-way approval by ALDOT. There was no discussion on the motion. Mr. Spriggs abstained. The Motion carried.**

The next order of business is a site plan for Daphne Avenue Mixed Use. The application was tabled at the September 22, 2022 regular meeting.

An introductory presentation was given by Larry Smith, S.E. Civil, requesting site plan review of a mixed-use building consisting of commercial and residential units with associated parking, drainage and landscaping located northeast of the intersection of Main Street and Daphne Avenue. He stated a revised traffic impact study was provided and the developer has agreed to the improvements to Daphne Avenue near U.S. Highway 98, realignment of the driveway, and the dedication of an easement to provide for a future access to Guarisco Street.

Chairman asked for Commission questions or comments. Mr. Olen stated that the developer utilized a loophole in the Land Use Ordinance to design a development that will have a terrible impact on the entrance to our city. Mr. Hodgson commented that a mixed-use development is an asset to the city, and that there are traffic issues at Daphne Avenue and Main Street. Mr. Spriggs commented that we need developments that have density and encourage walkability.

Chairman referred to staff comments. Mr. Newman advised of his concern that the improvements have not been designed and presented for review; however, the developer has agreed to the improvements.

Chairman asked questions and comments and for a motion.

A **Motion** was made by Mr. Hodgson and **Seconded** by Mr. Spriggs **to approve Daphne Avenue Mixed Use site plan contingent upon staff review and approval of the roadway improvement design, site disturbance permit shall not be issued until such time as roadway improvements have been reviewed and approved by staff, prior to the issuance of a certificate of occupancy, and the developer shall provide a copy of the recorded cross easement agreement. There was no discussion on the motion. Mr. Olen dissented. The Motion carried.**

The next order of business is an administrative presentation of a proposed amendment to the Land Use and Development Ordinance. The application was tabled at the September 22, 2022 regular meeting.

Ms. Jones provided an overview of a proposed amendment to the Land Use and Development Ordinance to add a Medical Overlay District with associated uses relative to a B-2(a), General Business Alternate, district.

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

Ms. Jones stated that the District will entail the properties currently owned by Infirmary Health Systems, Inc. to encompass Infirmary Health Malbis Medical Office and Thomas Hospital Emergency - Malbis located southwest of Alabama Highway 181 and U.S. Highway 90. She provided an overview of the noted modifications discussed at the site preview meeting and said that the document has been submitted for review, discussion and requested action.

Commissioners discussed minor revisions to verbiage of the proposed amendment.

Chairman asked for Commission questions or comments and a motion.

A Motion was made by Mr. Olen and **Seconded** by Mr. Peterson **to set forth a favorable recommendation to the City Council to add Article 41, Medical Overlay District to the Land Use and Development Ordinance with the revision noted tonight. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is a pre-zoning and annexation request for Infirmary Health Systems, Inc. The public hearing was held at the September 22, 2022 regular meeting.

An introductory presentation was given by Ormand Thompson, President of Thomas Hospital, requesting pre-zoning and annexation of a thirty-six point one eight acre parcel owned by Infirmary Health Systems, Inc. and its affiliates consisting of residential and commercial zoning located southwest of the intersection of U.S. Highway 90 and Alabama Highway 181 as B-2(a), General Business Alternate, to serve the residents of Daphne and surrounding area.

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

A Motion was made by Mr. Olen and **Seconded** by Mr. Huskey **to set forth a favorable recommendation to City Council to pre-zone the subject property to B-2(a), General Business Alternate. There was no discussion on the motion. The Motion carried unanimously.**

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

The next order of business is a site plan review for Christian Brothers Automotive.

An introductory presentation was given by Noah Chapman, Gaskins & LeGraw, requesting site plan review for a nine-bay automotive repair shop with associated parking, common detention, and landscaping located northeast of Renaissance Boulevard and U.S. Highway 90.

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

Chairman referred to staff comments. Mr. Chapman stated that plan revisions have been provided to staff to reflect the required six-foot sidewalk.

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

A Motion was made by Mr. Peterson and **Seconded** by Mr. Spriggs **to approve Christian Brothers Automotive site plan. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is a master plan for South Branch, modification to the wetland buffer, and preliminary plat review for South Branch Subdivision, Phase One.

In the absence of a representative, Ms. Jones provided an overview of the associated applications and stated the representative has requested that the items be tabled, and the Commission can table them after they hold a public hearing. She stated the master plan and preliminary plat were approved in 2017, but the approval has expired because the contractor had not begun construction. She advised that Phase One consists of forty-seven lots, the number of lots proposed in the development did not increase, and the access is on the east side of Pollard Road. She noted there is also a request for a modification to the wetland buffer to connect to existing sanitary sewer.

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

Bill Lees, 27430 Creekwood Drive, spoke in opposition, and expressed his concerns about traffic and asked that the subdivision plat reflect the thirty-foot buffer zone along the south property line that approved in 2017.

Jason Holston, 8143 Soldier's Court, spoke in opposition, and expressed his concerns about traffic, wildlife, quality of life and wetlands.

Mike Goodland, 8086 Soldier's Court, spoke in opposition, and expressed his concerns about flooding.

Dustyn Adams, 8125 Soldier's Court, spoke in opposition, and requested an undisturbed natural buffer zone along the south property line.

Jessica Brewer, 8161 Soldier's Court, spoke in opposition, and requested an undisturbed buffer zone with mature trees or a privacy fence along the south property line.

Scotty Shappell, 9052 Brookside Lane, spoke in opposition, to express his concerns about traffic and to request an undisturbed natural buffer zone along the south property line.

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

During rebuttal, Mr. Wooten, the civil engineer apologized for being late and advised that he is addressing the outstanding issues regarding an updated traffic study, open space and recreation plan, and landscape plan; and, he anticipates that these items will be provided soon.

Chairman closed public participation and asked for a motion to table the associated applications.

A Motion was made by Mr. Olen and **Seconded** by Mr. Hodgson **to table the master plan, modification to the wetland buffer, and South Branch, Phase One preliminary subdivision plat. There was no discussion on the motion. The Motion carried unanimously.**

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

Ms. Jones provided an overview of proposed amendments to the Land Use and Development Ordinance. She provided an overview of the noted modifications discussed at the site preview meeting and said that the document has been submitted for review, discussion and requests a favorable recommendation to City Council.

Commissioners discussed minor revisions to verbiage of the proposed amendment.

Chairman asked for Commission questions or comments and a motion.

A Motion was made by Mr. Olen and **Seconded** by Mr. Manning **to set forth a favorable recommendation to the City Council to amend the Land Use Ordinance Articles 6, 11, 13, 15, 19, 34, and 37. There was no discussion on the motion. Mr. Spriggs dissented. The Motion carried.**

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 had no report.

The next order of business is commissioner's comments.

Mr. Hodgson announced that this is his last Planning Commission meeting because his term ends October 31, 2022.

The next order of business is director's comments.

Director presented the upcoming meeting dates. Site Preview is November 9, and the Regular Meeting is November 17, 2022. Ms. Jones thanked Mr. Hodgson for his service and dedication during his time on the Planning Commission.

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

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

Respectfully submitted by:



Jan Vallecillo, Planning Coordinator

Approved: November 17, 2022



Andrew Prescott, Chairman