The City of Daphne
Planning Commission Minutes
Regular Meeting of May 25, 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 5:02 p.m. The number of members present constitutes a quorum.

Call of Roll:

Members Present:

Kevin Spriggs
Adam Manning
John Peterson, Secretary
Kimberly Samry
Marybeth Bergin, Chairwoman
Nathan Jones
Ronnie Huskey
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
Joshua Newman, City Engineer
Jesi Ward, Environmental Programs Manager
Phillip Adams, Site Containment Officer

Mayor LeJeune presented a Certificate of Appreciation to Marybeth Bergin and thanked her for her service as a member of the Planning Commission for eight years.

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

Chairwoman asked for input regarding the May 4, 2023 special called meeting minutes presented by staff. There being none, minutes stand approved as submitted.

Chairwoman called for the next order of business: Daphne Business Park, Unit 3, Lot 6 Site Plan review.

An introductory presentation was given by the agent, Ethan Ivy. He summarized the proposed site plan as presented on the meeting agenda.

Chairwoman asked for staff comments. Staff advised that their comments have been addressed.

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

A motion was made by Mr. Prescott and seconded by Mr. Huskey to approve Daphne Business Park, Unit 3, Lot 6 Site Plan. There was no discussion. The motion carried unanimously.

Chairwoman called for the next order of business: French Settlement, Phase 4B Final Plat review and street acceptance.

An introductory presentation was given by the agent, Cathy Barnette. She summarized the final plat as presented on the meeting agenda and stated that the remaining comments have been addressed.

Chairwoman asked for staff comments. Staff advised that their comments have been addressed.

Chairwoman asked for comments from the Commission.

Mr. Olen expressed his concerns to Chloe Kelly, Terra Core Development, about the numerous inspections performed by staff prior to the completion of the construction of the subdivision.

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

A motion was made by Mr. Prescott and seconded by Mr. Manning to approve French Settlement, Phase 4B Final Plat. There was no discussion. The motion carried unanimously.

A motion was made by Mr. Prescott and seconded by Mr. Manning to set forth a favorable recommendation to the City Council to accept the streets in French Settlement, Phase 4B, contingent upon receipt of the recorded plat for the subdivision. There was no discussion. The motion carried unanimously.

Chairwoman called for the next order of business: Broughton Preliminary/Final Plat review.

An introductory presentation was given by the agent, Hunter Smith. He summarized the proposed subdivision as presented on the meeting agenda and commented about the addition of a general note limiting access between Lots 1 and 2.

Chairwoman stated the applicant is requesting to subdivide the property into two lots and asked about the buffer requirement. Mrs. Jones stated that there is an area zoned commercial between the R-2 and B-2 parcels that would serve as a buffer zone.

The chairwoman opened the floor for public hearing. The floor was closed after no one came forward to speak.

During discussion, the Commissioners asked about the easement shown and restricting access to Main Street.

Mrs. Jones clarified that a note should be added to the subdivision plat to preclude access from Lot 1 to Main Street.

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

A motion was made by Mr. Olen and seconded by Mr. Prescott to approve Broughton Preliminary/Final plat contingent on adding a note that expressly states "no commercial access to Main Street." There was no discussion. The motion carried unanimously.

Chairwoman called for the next order of business: Davis Preliminary/Final plat review.

An introductory presentation was given by the agent, Cathy Barnette. She summarized the proposed subdivision as presented on the meeting agenda and stated that the applicant is requesting to subdivide the property into two lots with a shared access driveway.

The chairwoman opened the floor for public hearing. The floor was closed after no one came forward to speak.

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

A motion was made by Mr. Prescott and seconded by Mr. Manning to approve Davis Preliminary/Final plat. There was no discussion. The motion carried unanimously.

Chairwoman called for the next order of business: Sirmon Properties, LLC Pre-zoning and Annexation Requests.

An introductory presentation was given by representative of the agent, Victoria Reed. She summarized the pre-zoning and annexation request as presented on the agenda and stated that the development will consist of sixty-seven lots with a minimum width of sixty-five feet.

Chairwoman asked for comments from the Commission.

Mr. Olen asked about the street issue. Mrs. Jones read correspondence from David Armacost, Holiday Builders, which states "Please accept this email as my commitment to the City of Daphne that we will bring Parker Lane up to meet the City's standards for ingress and egress roads into subdivisions. Again, I apologize, as it was my intent to have included that in my letter yesterday. Thank you in advance for your assistance and we look forward to working with you on this and future projects."

Chairwoman asked for comments from the Commission and whether his response addressed Mr. Huskey's concerns about maintenance of the street. Mr. Huskey stated yes.

Mr. Prescott questioned whether Parker Lane is a city or county road. Mr. Huskey stated city.

Chairwoman asked about the construction and acceptance of the street.

Mrs. Jones stated the developer must acquire a right-of-way permit to improve that portion of the street that is in the city, construct the remainder to the property line, and go through the street acceptance process.

Mr. Olen questioned whether the street will be improved from the property line to County Road 13 at the developer's expense and then go through the process to become a city street. Mr. Huskey interjected, improved to the city's standards. Mrs. Jones affirmed that both were correct.

The chairwoman opened the floor to the public hearing.

Cory Parker, 9162 Parker Lane, spoke in opposition to express his concerns about traffic and drainage.

The chairwoman closed the floor to the public hearing.

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

A motion was made by Mr. Prescott and seconded by Mr. Manning to set forth a favorable recommendation to the City Council to pre-zone the subject property to an R-6(G), Garden or Patio Home, district. There was no discussion. The motion carried unanimously.

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

Chairwoman called for the next order of business: Eunice Lett-Coleman rezoning request.

An introductory presentation was given by the agent, Cathy Barnette. She summarized the rezoning request as presented on the agenda. She stated this property consists of three parcels along Wilson Avenue. She presented an overview of the adjacent properties and zoning designations. She advised that the current zoning would allow thirteen lots by right, but the developer is proposing three-point one-eight units per acre and noted that rezoning the property to a PUD, Planned Unit Development, would be more compatible with the neighborhood than an R-6(G), Patio or Garden Home, district. She added that the public benefit would be shared driveways, a future city dedication and donation of property, and a financial contribution toward the construction of a roundabout.

The chairwoman opened the floor to the public hearing.

Billy Mayhand, 1372 Wilson Avenue, spoke in opposition to express his concerns about traffic, quality of life, and density and asked the Commission on behalf of the residents to deny the rezoning.

Victoria Mitchell, 2333 Pollard Road, spoke in opposition to express her concerns about traffic, density and effect on current residents and property values.

Sara Mitchell, 8001 Eliza Mitchell Drive, spoke in opposition to express her concerns about the impact on the school district.

Cory Bronenkamp, Acre Development, spoke in support of the application commented and commented that the developer has collaborated with DSLD for the construction of the homes. He stated we are hopeful with the contribution to the city that this will help to expedite the improvements to this intersection, enhance the area and to alleviate some of those traffic concerns.

The chairwoman closed the floor to the public hearing and asked for comments from the Commission.

Mr. Olen recognized Councilwoman Conaway and asked why she was present. She stated that she was present in support of the residents opposed to the Wilson Avenue and Pollard Road rezoning.

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

A motion was made by Mr. Spriggs and seconded by Mr. Manning to set forth a favorable recommendation to the City Council to rezone the subject property from an R-1, Low Density Single Family Residential, to a PUD, Planned Unit Development. There was no discussion.

Upon roll call vote,

Mr. Spriggs	**Aye**
Mr. Manning	**Aye**
Mr. Peterson	**Aye**
Ms. Samry	**Nay**
Ms. Bergin	**Nay**
Mr. Jones	**Aye**
Mr. Huskey	**Aye**
Mr. Olen	**Nay**
Mr. Prescott	**Aye**

The vote was six in favor and three opposed. The motion carried.

A motion was made by Mr. Spriggs and seconded by Mr. Manning to set forth a favorable recommendation to the City Council to rezone the subject property from an R-2, Medium Density Single Family Residential, to a PUD, Planned Unit Development.

Upon roll call vote,

Mr. Spriggs	**Aye**
Mr. Manning	**Aye**
Mr. Peterson	**Aye**
Ms. Samry	**Nay**
Ms. Bergin	**Nay**
Mr. Jones	**Aye**
Mr. Huskey	**Aye**
Mr. Olen	**Nay**
Mr. Prescott	**Aye**

The vote was six in favor and three opposed. The motion carried.

Chairwoman advised the citizens that the Planning Commission makes a recommendation and the City Council makes the final decision.

Chairwoman called for the next order of business: Jubilee, Phase Twelve administrative presentation.

An introductory presentation was given by the agent, Cathy Barnette. She summarized the request as presented on the agenda.

Chairwoman stated the administrative presentation is to seek a modification to the wetland buffer in order to relocate the sanitary sewer line and to remediate, repair and revegetate the wetland buffer upon completion.

A motion was made by Mr. Olen and seconded by Mr. Huskey to approve the modification to the wetland buffer. There was no discussion. The motion carried unanimously.

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

The chairwoman opened the floor for public participation. The floor was closed after no one came forward to speak.

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

Mr. Dungan had no report. He stated you will be missed.

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

Commissioners thanked Mrs. Bergin for her service and wished her well.

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

Mrs. Jones said that June 14th and June 22nd are the upcoming meeting dates. Ms. Jones thanked Mrs. Bergin for her service and commended her dedication during her time on the Planning Commission. She also stated the Mr. Prescott will assume the role of Chairman, and a new Vice Chairman will be elected at the upcoming meeting.

There being no further business, the meeting was adjourned at 6:12 p.m.

Respectfully submitted by:

Jan Vallecillo

Jan Vallecillo, Planning Coordinator

Approved: June 22, 2023

Andrew Prescott

Andrew Prescott, Chairman