

**The City of Daphne
Planning Commission Minutes
Regular Meeting of July 27, 2023
Council Chamber, City Hall - 5:00 P.M.**

Call to Order:

The Chairman 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, Secretary
John Peterson, Vice Chairman
Ronnie Huskey
Andrew Prescott, Chairman
Richard Johnson
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
Jesi Ward, Environmental Programs Manager

The Chairman asked for input regarding the June 22, 2023 regular meeting minutes presented by staff. There being none, minutes stand approved as submitted.

Chairman called for the next order of business: Caliber Collision.

An introductory presentation was given by the agent, Todd Burnette.

Chairman advised that staff comments have been addressed and asked for Commission questions or comments.

Mrs. Jones stated the final step pending is the finalization of the re-plat of Lots 2 and 3 and advised that the application is under review and staff is working through minor changes.

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

A motion was made by Mr. Olen and seconded by Mr. Peterson to approve Caliber Collision site plan contingent upon the recording of the associated re-plat of Lots 2 and 3 in Probate Records. There was no discussion. The motion carried unanimously.

Chairman announced that Pollard Road Apartments has been tabled by the applicant to the meeting of August 24, 2023.

Chairman announced that Foosackly's has been tabled by the applicant to the meeting of August 24, 2023.

The City of Daphne
Planning Commission Minutes
Regular Meeting of July 27, 2023
Council Chamber, City Hall - 5:00 P.M.

Chairman called for the next order of business: Master Plan Revision and Preliminary/Final Review for Oak Grove Estates and Preliminary Plat Review for Oak Grove Estates, Phase One.

An introductory presentation was given by the agent, Jason Wooten. He provided an overview of the master plan revision and proposed subdivisions as presented on the meeting agenda. He stated that the master plan consists of ninety-two residential lots with nine estate size lots on Pollard Road, eighty-three smaller future lots to the east with access to Daintree Court and Stratford Glen Drive, the remainder of the property is mainly wetlands, and there is a strip of land for a future access. Applicant also is presenting a preliminary/final plat to split the property into three lots and a preliminary plat of phase one, a twenty-two point three-two acre parcel located on the east side of Pollard Road immediately north of Creekside Subdivision. He advised that staff comments have been addressed with the exception of storm water drainage.

Chairman asked about the easement shown on the master plan revision in Phase Two and if the City plans to construct the road. Mr. Wooten advised the intent of the easement is to provide a strip of land abutting the City's property to the north for a right-of-way for future use. He stated as a compromise to providing the connection, applicant wishes to dedicate land for a future use to address concerns about providing an access to the second phase.

Mr. Johnson agreed this would provide an opportunity to connect the right-of-way of Pollard Road to the northernmost street in phase two of this development in the future.

Mr. Olen reiterated that the Planning Commission conditioned the approval of the subdivision upon providing an access easement to future phases.

Mr. Wooten stated that he wishes to move forward with the presentation and public hearing for input, but will request to table the applications until the next regular meeting.

Mrs. Jones clarified the note contained in the staff report of March 23, 2023 for the South Branch preliminary/final subdivision plat as follows: "The Commission deemed it appropriate for a note to be added to ensure that a future connection to Lot 2 is established and that construction access for future phases will be directed to Pollard Road. Said note and future easement and stub-out to the east were added." The note was on the preliminary/final plat and drawn on the master plan.

Mrs. Jones commented that she would prefer, since we have citizens present, to continue with the public hearing portion, then applicant can request to table the associated applications.

Mr. Johnson compared the recently approved master plan and the subsequent subdivision applications for one hundred and fifty-six residential lots to the current request asking us to consider ninety-two lots on the same area. He discussed the overall density reduction; temporarily crossing the wetlands and remediating the impacts; and the potential challenge of building the infrastructure.

The City of Daphne
Planning Commission Minutes
Regular Meeting of July 27, 2023
Council Chamber, City Hall - 5:00 P.M.

Mr. Wooten stated with the previous layout, it made sense to have the connector, but the estate lots no front on Pollard Road.

Mr. Spriggs commented about the reduction of overall density, addition of larger lots and the expectations as outlined on the master plan.

Chairman asked is the applicant prepared to proceed. Mr. Wooten advised that he wants to table the respective applications upon the conclusion of Commission discussion and public input.

The Chairman opened the floor for the public hearing.

Mrs. Jones outlined the applications presented for the public hearing. She stated the first agenda item for Oak Grove Estates is a request to create three lots. The purpose of the subdivision is to create a lot for the subject property presented on the next application Oak Grove Estates, Phase One of which they are proposing to develop into nine lots.

Beth Navarro, 27675 Rhone Drive, spoke in opposition and expressed concerns about drainage, construction of a bridge, traffic and construction vehicles.

Hal Kerkhoff, 8651 Danube Court, spoke in opposition and expressed concerns about the elimination of the turn lane and the requirement of monument signage to identify each subdivision.

Tom Marshall, 8656 Danube Court, spoke in opposition and expressed concerns about the construction of a bridge and delaying the connection until the development of phase two, the performance bond requirement, and requested consideration of the development of the estate size lots at Daintree Court and Stratford Glen Drive.

The Chairman closed the floor to the public hearing and offered the agent the opportunity for rebuttal.

Chairman asked about public notice. Mrs. Jones stated the public notice is the Commission's determination tonight. If the Commission tables the agenda items, it will be on regular meeting agenda of August 24, 2023.

During rebuttal, Mr. Wooten stated that the turn lane warranted by the traffic study would be required during the construction of phase two. He stated a performance bond would not be required because we do not have any environmental impact to the wetlands and outlined the proposed location of the monument signs for the subdivision.

Chairman asked for Commission questions or comments. Mr. Peterson read Section 11-13, Sewer Connections, of the Land Use Ordinance, which states, "Sanitary sewer for multiple customers shall be gravity systems." The preliminary plat for phase one is proposing a low-pressure system and that is not acceptable in the City of Daphne or its planning jurisdiction, except with the approval of the Planning Commission. There should be a formal request submitted to the Commission relative to the design represented on the utility plan.

**The City of Daphne
Planning Commission Minutes
Regular Meeting of July 27, 2023
Council Chamber, City Hall - 5:00 P.M.**

Mr. Peterson asked were covenants presented with the application prohibiting a further subdivision of the lots. Mrs. Jones advised that there is a note on the master plan and preliminary plat for phase one that states that Lots 1-9 may not be further subdivided.

Mr. Spriggs asked could the owner present a master plan revision to develop smaller lots on Pollard Road. Mrs. Jones advised that they would not be able to unless the Planning Commission amends the plat to remove that note.

Mr. Johnson asked why the developer is not proposing to connect to the existing gravity system. Mr. Wooten stated the previous Environmental Programs Manager discouraged encroachment into the wetlands, but advised that phase two must connect to that system.

Hearing no further comments from the Commissioners, the Chairman called for a motion to table the associated applications.

A motion was made by Mr. Olen and Seconded by Mr. Spriggs to table the master plan revision for Oak Grove Estates. There was no discussion. The motion carried unanimously.

A motion was made by Mr. Olen and seconded by Mr. Spriggs to table the Oak Grove Estates preliminary/final subdivision plat. There was no discussion. The motion carried unanimously.

A motion was made by Mr. Olen and seconded by Mr. Spriggs to table Oak Grove Estates, Phase One preliminary subdivision plat. There was no discussion. The motion carried unanimously.

Chairman called for the next order of business: Simms, a Resubdivision of Lot 1C, Simms-Foster Preliminary/Final Review.

An introductory presentation was given by the agent, Aaron Collins. He summarized the proposed subdivision as presented on the meeting agenda.

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

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

A motion was made by Mr. Olen and seconded by Mr. Spriggs to approve Simms, a Resubdivision of Lot 1C, Simms-Foster Preliminary/Final plat. There was no discussion. The motion carried unanimously.

Chairman announced that Small's Smokehouse Master Plan and Request for Sidewalk Exemption have been tabled by the applicant to the meeting of August 24, 2023.

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

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

**The City of Daphne
Planning Commission Minutes
Regular Meeting of July 27, 2023
Council Chamber, City Hall - 5:00 P.M.**

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

Mr. Dungan had no report.

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

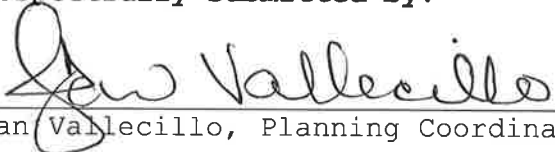
Chairman thanked Richard Johnson for his insight on projects as a new member of the Planning Commission.

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

None presented.

There being no further business, the meeting was adjourned at 5:45 p.m.

Respectfully submitted by:


Jan Vallecillo, Planning Coordinator

Approved: August 24, 2023


Andrew Prescott, Chairman