The City of Daphne
Planning Commission Minutes
Regular Meeting of August 24, 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 5:00 p.m. The number of members present constitutes a quorum.

Call of Roll:

Members Present:

Kevin Spriggs, Secretary
Adam Manning
John Peterson, Vice Chairman
Ronnie Huskey
Andrew Prescott, Chairman
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 July 27, 2023 regular meeting minutes presented by staff. There being none, minutes stand approved as submitted.

Chairman announced that the Oak Grove Estates Master Plan Revision, Modification to the Wetland Buffer Requirement, Preliminary/Final Plat Review and Oak Grove, Phase One Preliminary Plat Review have been tabled by the applicant to the meeting of September 28, 2023.

Chairman called for the next order of business: Wilson Place, Phase One Preliminary/Final Review and Wilson Place, Phase Two Preliminary Plat.

An introductory presentation was given by the agent, Cathy Barnette, to summarize the proposed subdivisions as presented on the meeting agenda. She stated covenants will be provided with the final plat application that address maintenance of the access easement, common area and detention pond; she said a note added to the plat states the required width of the common driveways is thirty feet; and she advised there was no resolution to the right-of-way issue.

Chairman asked for staff comments. Staff advised that all comments have been addressed. Mrs. Ward stated an ADEM permit is required prior to moving forward with permitting of the project.

The Chairman opened the floor for public hearing.

Billy Mayhand, 1372 Wilson Avenue, spoke in favor of the subdivision and thanked the Commission for allowing the residents to present their concerns and for adhering to the request.

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

A motion was made by Mr. Peterson and seconded by Mr. Spriggs to approve Wilson Avenue, Phase One Preliminary/Final Plat. There was no discussion. The motion carried unanimously.

A motion was made by Mr. Peterson and seconded by Mr. Manning to approve Wilson Avenue, Phase Two Preliminary Plat. There was no discussion. The motion carried unanimously.

Chairman called for the next order of business: Small's Smokehouse Master Plan and Request for Sidewalk Exemption.

An introductory presentation was given by the owner, Fred Small, to summarize the proposed master plan as presented on the meeting agenda. He stated the plan revisions include a change in the size of the storage building and the location of the sidewalk.

Chairman asked for Commission questions or comments. Mr. Spriggs commented about the expense of the bathroom and storage building and stated the Commission should approve the master plan for the culture and heritage of this site.

A motion was made by Mr. Spriggs and seconded by Mr. Manning to approve the master plan for Small's Smokehouse and request for sidewalk exemption.

During discussion, Mr. Olen asked was the request for a sidewalk exemption or modification. Mrs. Jones said a modification.

Mr. Strunk noted that since the sidewalk is located on private property, the owner must provide the city with an easement for public access.

An amendment to the main motion was made by Mr. Olen and seconded by Mr. Manning to approve the request to modify the sidewalk requirement with a condition that the owner shall provide the city with an easement for public access.

Mr. Spriggs accepted the modification.

The Chairman called for a vote on the motion to amend. There was no discussion on the motion. The motion to amend carried unanimously.

The Chairman called for a vote on the motion as amended to approve the master plan for Small's Smokehouse and request to modify the sidewalk requirement with a condition that the owner shall provide the city with an easement for public access. There was no further discussion on the motion. The motion carried unanimously.

Chairman called for the next order of business: Proposed Amendments to the Land Use and Development Ordinance.

Mrs. Jones stated documentation will be distributed and an overview provided of the noted modifications once all comments and/or revisions are received.

Mr. Olen asked so the plan is to make the necessary revisions and present them to the Commission new month. Mrs. Jones responded yes.

Chairman asked for Commission questions or comments.

Mr. Spriggs commented about the performance bond required to mitigate off-site impacts and to protect the wetlands and wetland buffer and stated that it should include a liability provision for any damages to the wetlands, wetland buffer or structure.

Mr. Olen added that the ordinance should also require the contractor working in the wetlands or wetlands buffer to have liability insurance.

Mrs. Jones responded similar language exists in Article XV. The ordinance requires that a design engineer have one million dollars of errors and omissions insurance.

No action taken.

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.

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.

Mr. Olen expressed his concern about the presentation given at the site preview meeting. He stated that he is opposed to re-zoning the property located northeast of Alabama Highway 181 and Saint Michael Way for a proposed rental townhome development. He noted that the vote for the initial application for pre-zoning/annexation of St. Michael's Place as a Planned Unit Development was five to one, and the applications moved forward with no recommendation from the Commission.

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

Director asked about tentatively setting a special called meeting for September 14, 2023 to discuss the Comprehensive Plan Update.

There being no further business, the meeting was adjourned at 5:25 p.m.

Respectfully submitted by:

Jan Vallecillo, Planning Coordinator

Approved: September 28, 2023

Andrew Prescott, Chairman