

**The City of Daphne
Planning Commission Minutes
Regular Meeting of September 28, 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 5:03 p.m. The number of members present constitutes a quorum.

Call of Roll:

Members Present:

Kevin Spriggs, Secretary
Adam Manning
Richard Johnson
John Peterson, Vice Chairman
Ronnie Huskey
Andrew Prescott, Chairman
Steve Olen
Nathan Jones

Staff Present:

Natasha Miles, Planner
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 August 24, 2023 regular meeting minutes presented by staff. There being none, minutes stand approved as submitted.

Chairman called for the next order of business: Master Plan Revision, Modification to the Wetland Buffer, Preliminary/Final Review for Oak Grove Estates and Preliminary Plat Review for Oak Grove Estates, Phase One, a Resubdivision of Lot 1.

An introductory presentation was given by the agent, Jason Wooten. He provided an overview of the master plan revision, modification to the wetland buffer and proposed subdivisions as presented on the meeting agenda. He stated that the master plan consists of one hundred and two residential lots with nine estate size lots along Pollard Road, ninety-nine smaller future lots on forty-one point three-nine acres to the east of the parcel 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 six-two acre parcel located on the east side of Pollard Road north of Creekside Subdivision.

Mr. Wooten stated the City Engineer comments were addressed, but Environmental Programs Manager discourages the proposed encroachment into the wetlands and advised that Phase 2 must connect to that system.

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Chairman outlined that this development consists of the consideration of a one hundred and eight lot, two-phased residential subdivision, proposed crossing and/or road connection from Phase 2 to Pollard Road as outlined in current comprehensive plan for connectivity, and future improvements to include the installation of a turn lane.

Mr. Johnson said this is an opportunity to provide a connection to the right-of-way from Pollard Road to the northernmost street in phase two of this development in the future for residential and construction traffic.

Mr. Spriggs stated the construction of a road and bridge to cross the wetlands is an unreasonable requirement for the development of a ninety-nine lot subdivision and advised that the connection to gravity sewer would be a public benefit.

Mr. Olen suggested with the allowance of a wetland modification, that there should be conditions imposed that protect the city from negative impacts. Additionally, he referred to staff's recommendation to grant approval conditioned upon the installation of a road connection to align with the objectives of the current comprehensive plan.

Mr. Wooten responded that placement of that condition on Phase 2 would condemn the eastern portion of this property.

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

A motion was made by Mr. Olen and seconded by Mr. Peterson to approve the master plan revision for Oak Grove Estates conditioned upon the installation of the road connection to Pollard Road by the developer as a part of the development of Phase 2 or any sub-phase of Phase 2. There was no discussion. The motion carried. Mr. Spriggs dissented.

A motion was made by Mr. Olen and seconded by Mr. Manning to approve the modification to the wetland buffer conditioned upon the presentation of a bond in the amount of one hundred and fifty thousand dollars and the contractor performing the work in the wetlands buffer and/or the wetlands shall carry errors and omissions insurance at a minimum coverage in the amount of one million dollars. There was no discussion on the motion. The motion carried unanimously.

A motion was made by Mr. Johnson and seconded by Mr. Huskey to approve Oak Grove Estates preliminary/final subdivision plat. There was no discussion. The motion carried unanimously.

A motion was made by Mr. Johnson and seconded by Mr. Spriggs to approve Oak Grove Estates, Phase 1, a Resubdivision of Lot 1 preliminary subdivision plat. There was no discussion. The motion carried. Mr. Olen dissented.

Chairman called for the next order of business: A Renovation and Addition to the Daphne Justice Center Site Plan.

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

Chairman referred to staff comments. Staff advised that all comments have been addressed.

Mr. Johnson asked about the Lavender Lane road project and Mr. Newman indicated that the improvements would likely happen concurrently.

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

A motion was made by Mr. Peterson and seconded by Mr. Olen to approve a Renovation and Addition to the Daphne Justice Center site plan. There was no discussion on the motion. The Motion carried unanimously.

Chairman announced that Pollard Road Apartments has been withdrawn by the applicant.

Chairman called for the next order of business: Request for Sidewalk Exemption and Japonica Woods Preliminary/Final Review.

An introductory presentation was given by the agent, Hunter Smith, to summarize 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. Peterson and seconded by Mr. Huskey to approve the request for a sidewalk exemption.

A motion was made by Mr. Peterson and seconded by Mr. Huskey to approve Japonica Woods preliminary/final subdivision plat. There was no discussion. The motion carried unanimously.

Chairman called for the next order of business: 64 Pollard Preliminary/Final Review.

An introductory presentation was given by the agent, Hunter Smith. He summarized the proposed subdivision as presented on the meeting agenda. He advised the subdivision plat modification provided reflects the addition of a thirty-five foot wide cross access easement along the front, south and west property line.

Mr. Johnson asked about the construction of a service road due to the proposed improvement of County Road 64 and Pollard Road. Mr. Smith stated the subdivision will have two access points and details will be more defined once a site plan is submitted, but advised that the access drive along County Road 64 may be limited to a right in/right out only.

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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. Huskey and seconded by Mr. Manning to approve 64 Pollard preliminary/final subdivision plat. There was no discussion. The motion carried unanimously.

Chairman called for the next order of business: Carillon Oaks Baldwin, LLC Pre-zoning and Annexation Requests.

An introductory presentation was given by the agent, Jessica Dill. She summarized the pre-zoning and annexation request as presented on the agenda. She stated that the facility is currently under construction in Baldwin County, and the proposed development consists of a memory care facility, adult day care and the future development of a physician's office on Alabama Highway 181.

The Chairman opened the floor for the public hearing.

Will Booker, 9847 Sommerset Drive, spoke in opposition and presented the concerns of the Sommerset POA outlined in correspondence provided by Kathy Dean requesting consideration of a fifty-foot buffer with vegetation and fence, minimally invasive lighting, address possible drainage issues, and ensure that dumpsters will not be placed against the fence on the north property line.

Chuck Blackmon, 9798 Sommerset Drive, spoke in opposition and echoed the POA's concerns.

Mr. Johnson commented the facility is currently under construction and approved by Baldwin County. He reminded all that the applicant is seeking annexation into the city; additionally, all future compliance requirements will be addressed at the time of site plan review.

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

Mrs. Dill reiterated that this is an annexation request and that Carillon Oaks Baldwin wants to be a good neighbor and will be happy to work with the residents to address their concerns.

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

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

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A motion was made by Mr. Olen and seconded by Mr. Johnson 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.

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.

None presented.

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

The Planner presented the upcoming meeting dates. Site Preview is October 18, and the Regular Meeting is October 26, 2023; a special meeting will be held on October 4, 2023 for Envision Daphne 2042 Comprehensive Plan.

There being no further business, the meeting was adjourned at 5:55 p.m.

Respectfully submitted by:


Jan Vallecillo, Planning Coordinator

Approved: October 26, 2023


John Peterson, Vice Chairman