The City of Daphne
Planning Commission Minutes
Regular Meeting of January 25, 2024
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
Andrew Prescott, Chairman
Ronnie Huskey
Steve Olen
Nathan Jones

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 December 14, 2023 regular meeting minutes presented by staff. There being none, minutes stand approved as submitted.

Chairman announced that Bayside Academy Master Plan and Site Plan and Sirmon Addition to Daphne Preliminary Plat Review have been tabled until the regular meeting of February 22, 2024.

The Chairman called for the next order of business: Wilson Place, Phase Two Subdivision Plat Review.

An introductory presentation was given by the agent, Cathy Barnette. She summarized the final subdivision plat as presented on the meeting agenda and advised that staff comments have been addressed. She stated that a twenty-foot drainage easement for Lot 6 has been added to the final subdivision plat, the sidewalk has been repaired, re-sodded and re-stabilized, and driveways improvements will be constructed in conjunction with residential home construction.

Chairman asked for staff comments. Staff stated that all comments have been addressed.

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 Wilson Place, Phases Two final subdivision plat. There was no discussion. The motion carried unanimously.

Chairman called for the next order of business: 68V Baldwin Land Holdings, LLC, Sharon and John Boni, Sharon, Thomas and John Boni, and Sharon Boni, representative of Thelma Boni Estate Pre-Zoning Amendment and Annexation Request.

An introductory presentation was given by the agent, Chloe Kelly. She summarized the pre-zoning and annexation request as presented on the meeting agenda. She provided a detailed PowerPoint presentation of the proposed PUD. The PUD is one hundred and thirty-four acres, and includes four phases, to include a total of five-hundred and ninety-four lots with a mixture of single-family residential, multi-family, townhomes and commercial uses. Ms. Kelly said that public benefits include the donation of land for a future right-of-way for the construction of a connector road from Milton Jones Road to Friendship Road; the donation of right-of-way for the construction of a roundabout at the intersection of Milton Jones Road and County Road 13 and the capital for surveying and engineering costs; the construction of the improvements at County Road 64 and Friendship Road and the capital for the construction, surveying and engineering costs; the donation of land for a public park; and, the construction of two pickle ball courts and extra guest parking.

Ms. Kelly referenced the PUD documents and advised that they were revised to address comments presented at the Site Preview meeting regarding utilities, parking, and a limitation of the use of vinyl siding to only the soffit and fascia. She addressed comments outlined in correspondence received from an adjacent property owner requesting a fence and/or buffer zone. She noted that there is a forty-foot landscape buffer shown along the adjoining property line of this development.

Mr. Prescott asked about Belforest Water Authority's ability to provide fire flow. Ms. Kelly stated a willingness letter and fire flow test were provided to confirm the current capacity, and that the developer plans to further improve the infrastructure with the installation of a water line along the extension of Milton Jones Road to serve this and future developments in this corridor.

Mr. Prescott asked about the traffic impact study and providing a staff recommendation. Mr. Newman stated the first iteration has been received, reviewed by the consultant and requires updates, but the comments would not affect the substance of this development.

Mr. Olen asked about the revisions to the additional stipulations and limitations as outlined in the staff report. Ms. Kelly stated that the narrative has been updated and provided to staff. Ms. Jones clarified that revisions have been made to the list of permitted uses; and, the side yard setback, as recommended by the fire marshal.

Mr. Olen and Mr. Prescott expressed their concern about the City's obligation to perform the road construction even if the funding is not available. Ms. Kelly stated the narrative does not obligate the City to anything. She questioned how to obtain a construction easement if the connector road construction was delayed. Ms. Jones identified the city and county jurisdictional boundaries of County Road 13 and said a right-of-way permit would be required from the appropriate jurisdiction.

Ms. Jones mentioned Mr. Johnson's query made at the Site Preview meeting to determine who would bear the cost if the bid amount exceeds the budgeted amount for the work cited in the PUD document.

Mr. Olen recommended that the developer pay the difference. Ms. Kelly indicated that the developer would be willing to incur the cost and asked for clarification on what language to add to the PUD documents. Mr. Dungan provided language and indicated that he would provide his recommendation to staff.

Mr. Olen commented on the development of architectural standards and suggested that the developer work with staff on the elevations presented for the smaller lots. Ms. Jones explained the rationale for needing further collaboration regarding design. Ms. Kelly indicated a willingness to work with staff.

Mr. Spriggs stated the City should not have any control over architectural standards and advised there is no language in the PUD that obligates the City to construct the extension of Milton Jones Road.

Mr. Spriggs questioned what happens to the development if the extension is not constructed. Ms. Kelly advised that the developer would have to redesign the layout and resubmit.

Ms. Jones stated in response to Mr. Spriggs question that the City and Baldwin County are under a mutual obligation. Mr. Dungan clarified that there is a contract between the City and Baldwin County of which 68 Ventures is not a party. This would allow the City to back out of the agreement if there is no funding.

Mr. Peterson asked what stage is this in the PUD process finding that many details such as drainage design has not been engineered. Mr. Dungan stated the process tonight is to layout the parameters of the special zoning designation that will apply upon annexation into the city. He stated that there are future opportunities for the Commission to review the plans to ensure that they comply with these parameters and applicable other regulations.

Mr. Spriggs asked about the status of and the importance of the construction of the extension of Milton Jones Road.

Mr. Strunk stated the City of Daphne has entered into an intergovernmental agreement with Baldwin County to fund three-point two million dollars to construct the road upon the developer's dedication of the land for the new right-of-way to the City. He further indicated that east-west corridors are essential traffic solutions on the Eastern Shore and that the public benefit in this instance is the developer's payment of the cost of engineering and the dedication of the right-of-way.

The Chairman opened the floor for the public hearing.

Chris Frances, 1214 Captain O'Neal Drive, commented about existing traffic at Glover Lane and County Road 13. He also described the extent of his existing business operations which may be found as disruptive to new homeowners that move into the PUD development.

The Chairman closed the floor to the public hearing.

Hearing no further comments from the commissioners, the Chairman 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 for pre-zoning the subject property as a PUD, Planned Unit Development, and annex it into the Daphne city limits without an obligation to construct the extension of Milton Jones Road. There was no discussion. The motion carried unanimously.

The Chairman called for the next order of business: The Reserve at Daphne Master Plan Revision.

An introductory presentation was given by the agent, Cathy Barnette. She provided a summarization of the revisions to the master plan as presented on the meeting agenda. She advised that the proposed design for Phases Four and Five have reverted back to the previously approved master plan. Phases Six and Seven show forty-two foot wide lots in preparation to submit an application for pre-zoning amendment and annexation as a PUD, Planned Unit Development.

Proposed additions include stop signs and a twenty-five foot wide access to the north for access to the city property and two parking spaces. The residential lots shown for the Reserve of Plantation Hills Subdivision have been removed and now reflects city ownership.

There was discussion regarding the process of approving a master plan prior to pre-zoning and annexing land into the city. Staff advised that the master plan would be null and void if the Council did not approve the pre-zoning application and the annexation appeal.

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

A motion was made by Mr. Spriggs and seconded by Mr. Peterson to approve the master plan revision for the Reserve at Daphne. There was no discussion.

Upon roll call vote,

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

The vote were four in favor and three opposed. The motion carried.

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

The Chairman opened the floor for public participation.

Several realtors spoke regarding the need for housing at a lower price point.

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

Mr. Dungan had no report.

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

None presented.

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

Director offered condolences to Richard Johnson regarding the loss of his father. She presented the upcoming meeting dates: Site Preview is February 14th, and the Regular Meeting is February 22, 2024; and, advised of the adoption of Ordinance #2023-43, Land Use Ordinance Revisions, which is applicable to all applications submitted after January 22, 2024. She stated that the Envision Daphne 2042 Comprehensive Plan is tentatively set to be presented at the regular meeting of February 22, 2024.

There being no further business, the meeting was adjourned at 6:25 p.m.

Respectfully submitted by:

Jan Vallecillo, Planning Coordinator

Approved: February 22, 2024

Andrew Prescott, Chairman