The City of Daphne
Planning Commission Minutes
Regular Meeting of July 25, 2024
Council Chamber, City Hall - 5:00 P.M.

Call to Order:

John Peterson, The acting 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
Ronnie Huskey
John Peterson, Vice Chairman - Acting Chairman
Richard Johnson
Steve Olen
Nathan Jones

Staff Present:

Adrienne Jones, AICP, Director of Community Development
Natasha Miles, Planner
Jan Vallecillo, Planning Coordinator
Jay Ross, Attorney
Troy Strunk, Executive Director, City Development
Joshua Newman, City Engineer
Jesi Ward, Environmental Programs Manager

The Chairman asked for input regarding the June 27, 2024 regular meeting minutes presented by staff. There being none, minutes stand approved as submitted.

The Chairman called for the next order of business: Austin Place Commercial Park, Lot 17 Site Plan Review.

An introductory presentation was given by the agent, Jason Prescott. He provided a summary of the site plan as presented on the meeting agenda.

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

A motion was made by Mr. Olen and seconded by Mr. Jones to approve the Austin Place Commercial Park, Lot 17 contingent upon recording a cross access easement between the subject property and the adjacent lot to the south. There was no discussion. The motion carried unanimously.

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

The Chairman opened the floor for public participation.

A presentation was given by Brannon Willisson, No Off Season, of an improvement contribution plan for the installation of a turn lane at County Road 64 and Friendship Road.

The Chairman asked about the status of the issuance of the certificate of occupancy. Mrs. Jones responded staff has not received all of the documentation required to set an inspection.

Mr. Johnson stated Options #2 and #3 appear to meet the spirit of the condition of site plan approval with regard to improvements, but City Council, Finance and City Attorney are the appropriate parties empowered to negotiate the terms of a payment plan.

Mr. Ross advised that the Commission was the appropriate body to review and decide which option is acceptable and to establish the type of security that would be required such as a promissory note, property lien, second mortgage or a condition on the issuance of a business license.

Mr. Spriggs spoke in opposition of a private business owner incurring the cost of deficient city improvements and asked for a motion to remove the requirement of the assessment. No one offered a second to the motion.

A motion was made by Mr. Olen and seconded by Mr. Johnson for approval of "No Off Season" paying $15,000 prior to the issuance of the certificate of occupancy for the project and $20,000 is due on August 1, 2025.

During discussion, Mr. Willisson stated he appreciates consideration of repayment options and because the project has exceeded the projected construction costs, they request a manageable payment plan that would allow "No Off Season" not only to open, but be able to afford the payments for the improvements as agreed. Mr. Olen clarified that the facility is currently open; they are requesting the issuance of a certificate of occupancy for the expansion.

An additional motion was made, but after discussion was withdrawn by the consent of Mr. Johnson who offered the motion and Mr. Jones who seconded the motion.

Mrs. Jones stated if no motion is not approved tonight, the condition remains. Mr. Ross concurred.

A motion was made by Mr. Johnson and seconded by Mr. Jones for approval of Option #3: "No Off Season" pays $11,000 six months after the final Certificate of Occupancy for the project. Second payment of $12,000 one year after the date of the first payment. Last payment of $12,000 the following year with a condition that a city legal representative creates an instrument, a legal agreement is to be signed by both parties, to tie the failure to make payment installations to the revocation of the business license. There was no discussion. The motion carried unanimously.

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

Mr. Ross 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.

None presented.

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

Respectfully submitted by:

Jan Vallecillo, Planning Coordinator

Approved: August 22, 2024

Andrew Prescott, Chairman