The City of Daphne
Planning Commission Minutes
Regular Meeting of August 22, 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
Ronnie Huskey
Adam Manning
Oliver Roberts
John Peterson, Vice Chairman
Andrew Prescott, Chairman
Richard Johnson
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
Jesi Ward, Environmental Programs Manager

The Chairman asked for input regarding the July 25, 2024 regular meeting minutes presented by staff. There being none, minutes stand approved as submitted.

The Chairman explained that the order of the agenda has been rearranged to allow the following: Kia of Daphne Planning Approval, Pomierski Residence Wetland Buffer Modification, and The Croft of Daphne Second Extension, to be the first items discussed tonight.

The Chairman called for the next order of business: Kia of Daphne Planning Commission Approval.

An introductory presentation was given by the agent, Dobbson Vickers. He provided a summary of a request for Planning Commission approval as presented on the meeting agenda. He stated that Kia of Daphne is requesting Planning Commission Approval of a parking lot and/or storage area in a B-2, General Business, zone located south of Frederick Boulevard and Renaissance Boulevard and due west of Planet Fitness.

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

A motion was made by Mr. Spriggs and seconded by Mr. Huskey to grant Planning Commission Approval to Kia of Daphne. There was no discussion. The motion carried unanimously.

The Chairman called for the next order of business: a request for a modification to a wetland buffer for the Pomierski Residence.

An introductory presentation was given by the agent, Chris Lieb. He provided a summary of a request for a modification of the wetland buffer as presented on the meeting agenda. He stated the delineated wetlands have been determined to be non-jurisdictional and noted that the current design includes the installation of a bridge which will allow construction of a residence on the west side of the property and eliminate the impact to the wetlands.

The Chairman asked about the distance of the footings from the residence to the wetlands. Mr. Lieb advised that it will be several feet, and the wetlands will be flagged.

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

A motion was made by Mr. Spriggs and seconded by Mr. Johnson to approve the modification to the wetland buffer for the Pomierski Residence. There was no discussion. The motion carried unanimously.

The Chairman called for the next order of business: a request for a modification to a wetland buffer for the Pomierski Residence.

The Chairman called for the next order of business: a request for a second extension for The Croft of Daphne.

An introductory presentation was given by the agent, Steven Rittle. He provided a summary of a request for approval of a two-year extension of time for the site plan and related site disturbance permit as presented on the meeting agenda.

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

A **Motion** was made by Mr. Spriggs and **Seconded** by Mr. Olen **to approve a two-year extension of time for The Croft at Daphne site plan and related site disturbance permit. There was no discussion. The Motion carried unanimously.**

Ms. Jones provided an overview of the proposed amendments and noted the modifications to the Comprehensive Plan are related to the zoning request associated with Fortuna Investments, LLC, Industrial Development Board and the City of Daphne.

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

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

A **Motion** was made by Mr. Olen and **Seconded** by Mr. Johnson **to approve an amendment to the Envision Daphne 2042 Comprehensive Plan regarding land located east of the intersection of Champions Way and Innovative Way (PPIN #62557 and 367368) from a Civic/Institutional Placetype to Mixed Use Corridor Placetype. There was no discussion. The motion carried unanimously.**

The Chairman called for the next order of business: Fortuna Investments, LLC, Industrial Development Board and the City of Daphne Zoning Amendment.

An introductory presentation was given by the agent, Drew Dolan. He summarized the rezoning request as presented on the meeting agenda. Mr. Dolan provided a detailed PowerPoint presentation of the proposed PUD. The PUD is fifty-nine point eight-one acres, and includes seven phases, with a mixture of different uses and development types: a corporate office, townhomes, commercial, residential, mixed-use, shared and on-street parking, an enhanced streetscape, public and private open park area and amenities to include pickle ball courts, improvements to Champions Way, and interconnectivity to the Church of the Highlands.

The Chairman opened the floor for public hearing.

Miles Paisant, 9614 Poet's Corner and Canterbury Place POA President, commented about the effect on the school, traffic, and requested a fence be installed along Champions Way to be a buffer between the rear facing businesses and Canterbury Place Subdivision.

Sam Ledbetter, 9630 Canterbury Road, commented about traffic, transient services and a hotel near a school, and noted this is a development for an urban not rural area.

Collin Sherman, 9597 Sherwood Court, commented about traffic, drainage, lighting, hours of operation, building height, and who will bears the cost of the development.

Tom Neyhart, 28644 Canterbury Road, commented about traffic and speeding on Champions Way.

Chris Colter, 24864 Smarty Jones, commented about 68 Venture, infrastructure improvements, access points, and effect on the school and hospital.

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

During rebuttal, Mr. Dolan noted that Champions Way will have a double fronted streetscape as a buffer for the residential neighborhood; the townhome development has sidewalks, a fence, and walking trails; traffic improvements to Champions Way will be designed in accordance with the recommendation of the traffic impact study.

Mr. Dolan advised that full engineering plans in compliance with the regulations would be presented to address drainage and provide detention; and, the development will have an in-house ARB to ensure compliance to the covenants.

Mr. Spriggs commented about the streetscape. Mr. Jinright commented that the best view along Alabama Highway 181 is the inner part of the development.

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

A motion was made by Mr. Olen and seconded by Mr. Johnson to table Fortuna Investments, LLC, Industrial Development Board and the City of Daphne Zoning Amendment to the September 26, 2024 Regular Planning Commission meeting. There was no discussion. The motion carried unanimously.

The Chairman called for the next order of business: AMERCO Real Estate Company Zoning Amendment, U-Haul Moving and Storage of Daphne Planning Commission Approval and Site Plan Review.

An introductory presentation was given by the agent, Melissa Hadley. He provided a summary of the rezoning request, request for Planning Commission Approval and Site Plan Review as presented on the meeting agenda.

Mrs. Hadley provided an overview for the proposed zoning of the site, proposed uses for the site, plan revisions and updated overall "use map".

The Chairman asked about the sidewalk to the east. Mr. Strunk advised that is a part of a city project.

The Chairman asked for staff comments. Ms. Jones advised that staff comments have been addressed.

Mr. Olen provided timeline from initial presentation for rezoning, Planning Commission approval, and site plan to present and noted that a retail business for the rental of pods is not a mini warehouse facility.

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. Spriggs and seconded by Mr. Peterson to set forth a favorable recommendation to City Council to rezone the subject property to B-2, General Business. There was no discussion.

Upon roll call vote,

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

The vote was five in favor and four opposed. The motion failed.

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. Spriggs and seconded by Mr. Johnson to grant Planning Commission Approval for a mini-warehouse and/or storage facility. There was no discussion. The motion carried unanimously.

A motion was made by Mr. Spriggs and seconded by Mr. Jones to approve the site plan for U-Haul Moving and Storage of Daphne. There was no discussion.

Upon roll call vote,

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

The vote was six 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.

None presented.

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 presented the upcoming meeting dates: Site Preview is September 18th and Regular Meeting is September 26, 2024.

There being no further business, the meeting was adjourned at 7:00 p.m.

Respectfully submitted by:

Jan Vallecillo

Jan Vallecillo, Planning Coordinator

Approved: September 26, 2024

Andrew Prescott, Chairman