The City of Daphne
Planning Commission Minutes
Regular Meeting of September 26, 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 5:05 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

*Mr. Peterson arrived at 5:11 p.m. and Mr. Johnson was excused at 6:27 p.m.

Staff Present:

Adrienne Jones, AICP, Director of Community Development
Jan Vallecillo, Planning Coordinator
Patrick Dungan, Attorney
Troy Strunk, Executive Director, City Development

The Chairman asked for input regarding the August 22, 2024 regular meeting minutes presented by staff. There being none, minutes stand approved as submitted.

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. Mr. Dolan summarized the rezoning request as presented on the meeting agenda and provided an overview of the revisions to the proposed PUD. He stated that the PUD ties directly into the vision for this area as outlined in the Envision 2042 Comprehensive Plan with a mixture of different uses and development types, shared and on-street parking, enhanced streetscape, open space, public and private open park area, and amenities to include pickle ball courts, improvements to Champions Way, and the addition of sidewalks along Alabama Highway 181.

The Chairman asked about staff comments. Mr. Strunk advised that staff is satisfied with the proposed revisions.

Mr. Spriggs commented on the elimination of the invasive species in the wetlands and regulating on-street parking. Mr. Dolan responded that Fortuna Investments does not intend to disturb the natural habitat in the wetlands and advised that the City does not regulate on-street parking.

The Chairman opened the floor for public hearing.

Sam Ledbetter, 9630 Canterbury Road, spoke in opposition with concerns regarding: additional traffic on Alabama Highway 181 and Champions Way created by this development and the church and asked about the effect on the plans if Novelis is not a part of the PUD.

Ethan Bertagnolli, Chamberlain Trace, spoke in opposition with concerns regarding: traffic and the safety of his fellow students.

Miles Paisant, 9614 Poet's Corner and Canterbury Place POA President, spoke in opposition with concerns regarding: traffic from this development and the church, and the effect on the school.

Benjamin Neely, 9540 Cambria Drive, spoke in opposition with concerns regarding: safety, traffic from this development and the church, and the effect on the school.

Wayne Mockel, 1412 Second Street, spoke in opposition with concerns regarding: the character of the hotel to be located within this development.

Laurel MacMinn Anderson, 27799 Moniac Cove, spoke in opposition with concerns regarding: the initial design for an industrial center was create jobs.

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

During rebuttal, Mr. Dolan noted that traffic improvements will be designed for Champions Way in accordance with the recommendation of the traffic impact study.

Mr. Johnson commended the PUD for providing live/work units, amenities, and the streetscape and landscape design and for providing the buffer against Canterbury Place Subdivision.

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 to rezone the subject property for Fortuna Investments, LLC, Industrial Development Board and the City of Daphne to a PUD, Planned Unit Development. There was no discussion. The motion carried unanimously.

The Chairman called for the next order of business: Oak Grove Estates, Phase One, Planning Commission Approval.

An introductory presentation was given by the agent, Jason Wooten. He provided an overview of a request for Planning Commission approval as presented on the meeting agenda. He advised that he is requesting approval of a low-pressure system in lieu of gravity sewer in response to comments received from Daphne Utilities regarding an issue with maintaining a gravity force main located in the wetlands.

A motion was made by Mr. Prescott and seconded by Mr. Roberts to grant Planning Commission Approval to Oak Grove Estates, Phase One. There was no discussion. The motion carried. Mr. Peterson dissented.

The proposed amendment and noted modifications to the Comprehensive Plan are related to the zoning request associated with East Fish River, LLC. Ms. Jones deferred to the representative of the project for the presentation.

The Chairman called for the next order of business: East Fish River, LLC.

An introductory presentation was given by the agent, Craig Johnson. Mr. Johnson summarized the amendment to the comprehensive plan and rezoning request as presented on the meeting agenda. He noted that the proposed development requires an amendment to the comprehensive plan to change the Placetype from Estate Residential to a Suburban Neighborhood and Natural Areas/Open Space. He also provided a detailed presentation of the proposed PUD. The PUD is five hundred and ten acres, and includes fifteen phases, several amenities and cooperation with Baldwin County to improve County Road 64. He also noted that potable water and sanitary sewer are served by the City of Loxley and students will attend Loxley schools.

The Chairman opened the floor for public hearing regarding the amendment to the comprehensive plan.

Susan Brackin, 12351 High Plains Drive, commented about overcrowding of schools and hospitals, quality of life and traffic.

The Chairman closed the floor to the public hearing and opened the floor for public hearing regarding the rezoning request.

Susan Brackin, 12351 High Plains Drive, spoke in opposition, to express her concerns about overcrowding of schools and hospitals, that the City of Loxley cannot provide service to the subdivision, and requested that the use of the property remain single family residential.

Eric Lazzari, 25568 Austin Road, commented about traffic.

Joe Tate, 8820 Bain Bridge Drive, commented about traffic, preservation of the wetlands, and noted that this property is located in the headwater of Fish River.

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

During rebuttal, Mr. Inge, an owner and managing partner, stated that they purchased the property in 2006 as an investment and annexed it into the City of Daphne in 2019. Based on the school system and property values they decided that a PUD was the best choice for the development of this property.

Hearing no comments from the commissioners, the Chairman called for a motion regarding the Comprehensive Plan Resolution.

A motion was made by Mr. Spriggs and seconded by Mr. Peterson to approve an amendment to the Envision Daphne 2042 Comprehensive Plan regarding land located five hundred feet northeast of the intersection of County Road 64 and Dixon Lane (PPIN# 27122, 26, 252259 and 27121) from an Estate Residential Placetype to Suburban Neighborhood and Natural Areas/Open Space Placetype. There was no discussion on the motion.

Upon roll call vote,

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

The motion for Resolution #2024-04 failed due to the lack of a supermajority vote of the members present. The vote was four in favor and three opposed.

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

A motion was made by Mr. Spriggs and seconded by Mr. Huskey to table East Fish River, LLC application to the October 24, 2024 Regular Planning Commission meeting. There was no discussion. The motion carried unanimously.

The Chairman called for the next order of business: Rowan Oak Master Plan Review.

An introductory presentation was given by the agent, Chloe Kelly. Mrs. Kelly provided a summarization of the master plan review as presented on the meeting agenda. She stated the master plan revised drawing clearly defines the sidewalk location along with the addition of sidewalks on the south side of the property and behind the detention pond.

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

A motion was made by Mr. Manning and seconded by Mr. Spriggs to approve the master plan review for Rowan Oak. There was no discussion. The motion carried unanimously.

The Chairman called for the next order of business: Hope Vineyard, Phase 2 Preliminary Plat Review.

An introductory presentation was given by the agent, Cathy Barnette. Mrs. Barnette provided a summary of the preliminary subdivision plat review as presented on the meeting agenda.

Mrs. Barnette asked for preliminary plat approval of a forty-four point one-one acre development and requested an exemption from the changes the Land Use and Development Ordinance changes regarding easement widths.

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. Roberts and seconded by Mr. Huskey to approve the preliminary plat for Hope Vineyard, Phase 2. There was no discussion on the motion. The Motion carried unanimously.

The Chairman called for the next order of business: Bayfront Master Plan, Modification and Waiver to the Wetland Buffer Areas, and Bayfront Park Expansion and Improvement Plan Site Plan Review.

Mrs. Cathy Barnette and Mr. Bobe provided a summary of the master plan review, modification and waiver to the wetland buffer areas, and site plan review as presented on the meeting agenda, and Mrs. Barnette provided an overview of the process for USCOE permitting and mitigation measures taken to offset the encroachment and modification of the wetland buffers.

Hearing no further comments from the commissioners, the Chairman called for a motion on each related request.

A motion was made by Mr. Prescott and seconded by Mr. Spriggs to approve the master plan for Bayfront Park. There was no discussion. The motion carried unanimously.

A motion was made by Mr. Spriggs and seconded by Mr. Huskey to approve the modification and waiver to the wetland areas for Bayfront Park. There was no discussion. The motion carried unanimously.

A motion was made by Mr. Spriggs and seconded by Mr. Manning to approve the site plan for the Bayfront Park Expansion and Improvement Plan. There was no discussion. The motion carried unanimously.

The next order of business is the election of officers.

The Chairman opened the nominations for Chairman. Mr. Spriggs nominated Mr. Prescott. The nominations were closed. With no other nominations, Mr. Prescott is Chairman.

The Chairman opened the nominations for Vice Chairman. Mr. Spriggs nominated Mr. Peterson. The nominations were closed. With no other nominations, Mr. Peterson is Vice Chairman.

The Chairman opened the nominations for Secretary. Mr. Peterson nominated Mr. Spriggs. The nominations were closed. With no other nominations, Mr. Spriggs is Secretary.

The Chairman called for the next order of business: 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.

None presented.

Mr. Strunk announced that Andy Bobe has been hired as the new City Engineer.

There being no further business, the meeting was adjourned at 6:42 p.m.

Respectfully submitted by:

Jan Vallecillo, Planning Coordinator

Approved: October 24, 2024

Andrew Prescott, Chairman