

The City of Daphne
Planning Commission Minutes
Regular Meeting of June 22, 2017
Council Chamber, City Hall - 5:00 P.M.

Call to Order:

Vice Chairman called the regular meeting of the City of Daphne Planning Commission to order at 5:11 p.m. The number of members present constitutes a quorum.

Call of Roll:

Members Present:

Andrew Prescott arrived @ 5:23 p.m.
Ed Kirby
Charles Smith, Secretary
Marybeth Bergin, Chairman arrived @ 5:54 p.m.
Ron Scott
Philip Hodgson, Vice Chairman
Hudson Sandefur
Chief White

Staff Present:

Adrienne Jones, Director of Community Development
Jan Vallecillo, Planning Coordinator
Patrick Dungan, Attorney
Brennan Walters, Planner

Vice Chairman apologized that the call to order was delayed, but the order of the agenda will be amended to begin conducting business awaiting the arrival of the Chairman.

The first order of business is the approval of the minutes.

Vice Chairman asked for questions, comments or corrections to the minutes *of the regular meeting of May 25, 2017. There being none, minutes are approved as submitted.*

The next order of business is administrative zoning of legislatively-annexed territories.

Mr. Dungan identified four properties set to be annexed into the City of Daphne effective July 1, 2017 by legislative act. There is precedence to assign the analogous zoning compatible to the county, and staff recommendations for the zoning designations.

Vice Chairman asked for Commission questions or comments and for a motion.

A Motion was made by Mr. Scott and **Seconded** by Mr. Kirby *to send a favorable recommendation to Council to zone the subject property Parcel 1 of Act 2017-63 (Dollar General Store on Highway 181) to B-2(a), General Business Alternate District. There was no discussion on the motion. The Motion carried unanimously.*

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A Motion was made by Mr. Scott and **Seconded** by Mr. Kirby **to send a favorable recommendation to Council to zone the subject property Parcel 2 of Act 2017-63 (Palladian @ Daphne Apartments on Highway 181) to R-7(A), Apartment District. There was no discussion on the motion. The Motion carried unanimously.**

A Motion was made by Mr. Scott and **Seconded** by Mr. Kirby **to send a favorable recommendation to Council to zone the subject property Parcel 3 of Act 2017-63 (Chevron Gas Station on Highway 181) to B-2, General Business District. There was no discussion on the motion. The Motion carried unanimously.**

A Motion was made by Mr. Scott and **Seconded** by Mr. Kirby **to send a favorable recommendation to Council to zone the subject property Parcel 4 of Act 2017-63 (JMO Subdivision at intersection of County Road 13 & Champions Way-Dollar General and undeveloped land along Champions Way) to B-2(a), General Business Alternate District. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is the attorney's report.

Mr. Dungan requested administrative review of a request of a re-plat presented by Fleetwood Lane to Community Development for Colonial Plaza.

Vice Chairman asked for Commission questions or comments.

Mr. Scott asked if documentation was presented to support a subdivision in 1995. Ms. Jones stated Baldwin County has no record of a division of land. There has been an assignment of parcel 1 and 2 in Planning Commission & Board of Zoning Adjustment minutes when site plans were presented for the construction of the buildings; therefore, the request is for the Commission to determine if that information is sufficient to establish the subdivision, although the documentation was never filed in Probate.

Mr. Scott asked if the property has one owner and Ms. Jones confirmed.

Vice Chairman asked for Commission questions or comments and for a motion.

A Motion was made by Mr. Scott and **Seconded** by Mr. Kirby **to approve and allow the owner to file and record this subdivision as an oversight from a previous Commission. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is an administrative presentation for the proposed amendment to the Land Use Ordinance for the Commercial/Industrial zoning district.

Ms. Jones presented the staff recommendation for the changes and/or additions to Article 35, Section 35-3, Table of Permitted Uses, affecting Commercial/Industrial zones; and, cumulative uses of a B-2 zone.

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Vice Chairman asked for Commission questions or comments and for a motion.

A Motion was made by Mr. Scott and Seconded by Mr. Smith to send a favorable recommendation to Council to amend the Table of Permitted Uses to permit in a Commercial/Industrial zone the following: by Right: Office buildings, professional and taxi dispatching station; by Planning Commission Approval: Agriculture and related farming operations, including horticulture, plant nurseries market gardening, field crops, orchards, and home gardens; art supplies; Camera and photographic supply store; catering shop or service; dairy products sales; delicatessen; dry cleaning shop, including self-service; Employee credit union office; floral shop; funeral home, mortuary or undertaking establishment; gymnasium, commercial; laundry, and dry cleaning pick-up station; pet shop; photographic studio and/or processing; shoe repair shop; studio for dance or music; studio for professional work or teaching of fine arts such as photography, drama, speech and painting; and by Special Exception: Art gallery or museum; business school or college. There was no discussion on the motion. The Motion carried unanimously.

The next order of business is a request for pre-zoning for Fred L. Corte.

Ms. Jones commented that the request is basically the same as the one approved by Planning Commission and City Council previously.

An introductory presentation was given by Steve Pumphrey, representative of Dewberry/Preble-Rish, of a request to pre-zone a seventy-three point five three acre parcel located southeast of Corte Road and County Road 13 and stated that the request has not changed, but rather a concern was expressed about a procedural technicality regarding the timing of the approval of a pre-zoning and annexation so the owner elected to start over.

Vice Chairman asked for Commission questions or comments.

Mr. Kirby asked for confirmation of the approval of the pre-zoning.

Ms. Jones stated the application is going back through the process to the Council which should affirm the pre-zoning, and the Commission has approved the subdivision for Blackstone Lakes which is still valid.

Mr. Scott stated that this is a timing issue for the owner and developer and commented that the residents of Bellaton Subdivision were not opposed to the layout.

Vice Chairman opened the floor to public participation.

Ms. Jones asked Mr. Pumphrey to state for the record the public benefit. Mr. Pumphrey stated the primary public benefit is providing a paved roadway from the entrance of the development onto Corte Road to County Road 13, access from the west to Bellaton Subdivision, and circular access for a school bus and emergency vehicles.

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Mr. Scott stated the City of Daphne and the Baldwin County Commission have entered into an agreement to improve Corte Road from County Road 13 to Alabama Highway 181.

Vice Chairman closed public participation and asked for a motion.

A Motion was made by Mr. Scott and **Seconded** by Mr. Kirby **to send a favorable recommendation to Council to pre-zone the subject property for Fred L. Corte, a seventy-three point five three acre parcel, as a Planned Unit Development. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is preliminary/final plat review for Watershed at Tiawasee Subdivision, Phase Two.

An introductory presentation was given by Steve Pumphrey, representative of Dewberry/ Preble-Rish, requesting preliminary/final plat review of a three-lot subdivision consisting of approximately twenty-one point three-three seven acres located east of Daintree & Danube Court and stated the two lots located in the northwest corner of this property access the Retreat of Tiawasee as shown on the Watershed of Tiawasee/French Settlement master plan. There were some issues regarding water service, and Daphne Utilities/Belforest Water has worked out an agreement.

Vice Chairman asked for Commission questions or comments.

Mr. Scott asked is the intent to not further subdivide the property.

Mr. Pumphrey stated the owner has not mentioned extending the roadway as the intent is to sell the property as estate type lots.

Vice Chairman opened the floor to public participation. No one came forth. He closed public participation and asked for a motion.

A Motion was made by Mr. Scott and **Seconded** by Mr. Kirby **to approve the Watershed at Tiawasee, Phase Two preliminary/final subdivision plat. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is preliminary/final plat review for Reserve 53 Subdivision.

An introductory presentation was given by Steve Pumphrey, representative of Dewberry/ Preble-Rish, requesting preliminary/final plat review of a two-lot subdivision consisting of approximately fifty three point three-three acres located north of the intersection of County Road 64 & Montelucia Way and stated this is the first step of the process so that we can move forward with the development of the Reserve of Daphne, Phase Two. It is necessary for us to carve out this tract for that purpose.

Vice Chairman opened the floor to public participation. No one came forth and he closed public participation.

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Vice Chairman asked for Commission questions or comments.

Mr. Smith asked if there were traffic considerations for this development. Mr. Johnson, Public Works Director, stated this property is located in the extraterritorial planning jurisdiction. This portion of County Road 64 right-of-way is not in the City of Daphne, but at the time of the development of phase one, the developer installed turn lanes.

Chief White commented that his and the Fire Marshal's concern was the placement of the hydrant which was addressed by the developer.

Vice Chairman asked for Commission questions or comments.

A **Motion** was made by Mr. Scott and **Seconded** by Mr. Sandefur **to approve Reserve 53 preliminary/final subdivision plat. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is preliminary/final plat review for M20 Subdivision.

An introductory presentation was given by Phillip Owens, representative of Coast Architects, requesting preliminary/final plat review of a two-lot subdivision consisting of approximately one point three-three acres located northwest of U.S. Highway 98 and Jordan Road.

Vice Chairman asked for Commission questions or comments.

Mr. Sandefur asked is the residence occupied or abandoned. Mr. Owens stated abandoned.

Chairman opened the floor to public participation. No one came forth. He closed public participation and asked for a motion.

A **Motion** was made by Mr. Smith and **Seconded** by Mr. Kirby **to approve M20 preliminary/final subdivision plat. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is site plan review for AOSM.

An introductory presentation was given by Phillip Owens, representative of Coast Architects, requesting site plan review of a medical facility located northwest of U.S. Highway 98 and Jordan Road.

Vice Chairman asked for Commission questions or comments.

Ms. Jones asked if the residence will remain and the size of the proposed medical facility. Mr. Owens stated demolished and replaced with a six thousand eight hundred square foot building.

Mr. Scott asked about the requirement for the installation of sidewalks.

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Mr. Johnson stated none are proposed for the public road frontage of Jordan Road to the south and because no sidewalks are planned in this area so a waiver is warranted.

Vice Chairman asked for Commission questions or comments and for a motion.

A Motion was made by Mr. Scott and **Seconded** by Mr. Smith to **approve the AOSM site plan and to waive the sidewalk requirement. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is final plat review for the Oldfield Subdivision, Phase 2B.

An introductory presentation was given by Steve Pumphrey, representative of Dewberry/Preble-Rish, requesting final plat review of a thirty-lot subdivision consisting of approximately eighteen point six three acres located south and west of Oldfield Subdivision, Phase One. This phase is in accordance with the master plan. There is an outstanding issue that remains of a drainage repair of which the owner is requesting approval subject to completion to staff's satisfaction.

Vice Chairman asked for Commission questions or comments and for a motion.

A Motion was made by Mr. Scott and **Seconded** by Mr. Kirby to **approve Oldfield, Phase 2B final subdivision plat, subject to clearance from city staff prior to signing of the plat. There was no discussion on the motion. The Motion carried unanimously.**

The Commission recessed @ 5:47 p.m.

Vice Chairman passed the gavel to Chairman.

Chairman apologized for her tardiness and reconvened the meeting @ 5:54 p.m.

The next order of business is preliminary plat review for Bailey Place Subdivision.

An introductory presentation was given by Steve Pumphrey, representative of Dewberry/Preble-Rish, requesting preliminary plat review of a thirteen-lot subdivision consisting of approximately five point three acres located southwest of County Road 64 and Alabama Highway 181 and stated the design is fairly simple and has received the approval of Baldwin County.

Chairman asked for Commission questions or comments.

Chairman opened the floor to public participation. No one came forth. She closed public participation.

Mr. Scott asked about a turn lane. Mr. Johnson stated there are three clear lanes in place.

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Chairman asked for a motion.

A **Motion** was made by Mr. Kirby and **Seconded** by Mr. Smith **to approve Bailey Place preliminary subdivision plat.**

During discussion, Mr. Scott asked about annexation. Chairman stated it was discussed, but was not required because the subdivision is served by Belforest Water and Baldwin County Sewer.

There was no further discussion on the motion. The Motion carried unanimously.

The next order of business is preliminary plat review for South Branch Subdivision, Phase One.

An introductory presentation was given by Barry Dees, representative of R-Squared, requesting preliminary plat review of a twenty-nine lot subdivision consisting of approximately thirteen point four nine acres located on Pollard Road, east of Eagle Creek Subdivision and responded that staff deficiencies have been reviewed and addressed.

Chairman asked for Commission questions or comments.

Mr. Scott asked the status of annexation. Ms. Jones confirmed annexation as R-3, High Density Single Family Residential.

Chairman opened the floor to public participation. No one came forth. She closed public participation and asked for a motion.

A **Motion** was made by Mr. Scott and **Seconded** by Mr. Smith **to approve South Branch, Phase One preliminary subdivision plat. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is a request of pre-zoning and annexation for Malbis Plantation, Inc.

An introductory presentation was given by Steve Pumphrey, representative of Dewberry/Preble-Rish, of a request to pre-zone a seventy-seven point five four acre parcel for Diamante Subdivision located on the east side of County Road 13, north of Sehoy Subdivision.

Chairman stated this is a request for pre-zoning and annexation, not for subdivision review. Mr. Pumphrey stated you have already approved Malbis 13 and Diamante Subdivision.

Chairman asked for Commission questions or comments.

Mr. Smith mentioned that there was an issue regarding the installation of a turn lane. Mr. Johnson responded that the developer is installing a left & right deceleration lane during the construction of first phase of the development.

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Mr. Scott stated the subdivision plat approval was predicated upon the applicant requesting annexation.

Chairman opened the floor to public participation. *

Ms. Valrie Stunavan asked if this is a part of the Malbis Plantation Historical District. Chairman commented this property is located on County Road 13. Mr. Scott responded the county historical district is located on Alabama Highway 181 from Malbis Lane to U.S. Highway 90.

Chairman closed public participation.

Chairman stated the Commission has been asked to consider the inclusion of a recommendation regarding connectivity and asked for a motion.

A **Motion** was made by Mr. Scott and **Seconded** by Mr. Kirby **to send a favorable recommendation to Council to pre-zone the subject property for Malbis Plantation, Inc., as R-3, High Density Single Family Residential, to annex the seventy-seven point five-four acre parcel into the corporate limits, and to adhere to the city's policy regarding connectivity {i.e. in favor of open access between subdivisions}.**

During discussion, Chief White asked for the Commission to explain the policy regarding connectivity. Mr. Scott stated we encourage connectivity when possible for public safety and services.

There was no further discussion on the motion. The Motion carried unanimously.

The next order of business is preliminary plat review for French Settlement, Phase Three.

An introductory presentation was given by Steve Pumphrey, representative of Dewberry/Preble-Rish, requesting preliminary plat review of a seventeen-lot subdivision consisting of approximately twenty-two point two six acres located northwest of Longue Vue Boulevard and French Settlement Drive, and stated this is the last phase of the Watershed of Tiawasee/French Settlement master plan. At the time of construction, the developer will construction a detention pond for phase three and address the outstanding issues in phase two. An easement has been added to this phase directing drainage to County Road 13. A note has also been added stating that the common area cannot be accessed from County Road 13.

Chairman asked for Commission questions or comments and commented on a request to grant a waiver for the width of the sidewalks.

Mr. Scott commented on correspondence from Marguerite Soper, 8686 Rosedown Lane, which is not opposed to the subdivision, but is concerned with access to French Settlement Subdivision.

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Mr. Johnson stated that access improvements on County Road 13 are set to begin construction, and the city is currently advertising the bid for the installation of the sidewalks. Ms. Jones stated the concerns mentioned may be issues that need to be presented to the Public Works or Public Safety Committee.

Chairman opened the floor to public participation. No one came forth. She closed public participation and asked for a motion.

A Motion was made by Mr. Hodgson and Seconded by Mr. Kirby **to approve French Settlement, Phase Three preliminary subdivision plat and to allow the installation of a four-foot wide sidewalk consistent with those in existence in French Settlement Subdivision, in lieu of the five-foot requirement. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is a request for rezoning for WPNVA, L.L.C., Jay-E, L.L.C., John White-Spunner, & Chester J. Stephan.

An introductory presentation was given by Doug Bailey, representative of Hutchinson, Moore & Rauch, of a request to rezone from a R-4 to a B-2 five-point eight acre parcel located at the southeast corner of U. S. Highway 98 and Johnson Road which is the entrance to Daphmont Subdivision and stated this zoning is consistent with the zoning of the properties at that intersection. The proposed use is a service station co-branded with a restaurant/drive-in on a two-acre parcel with access to Johnson Road and right-in/right-out access to U.S. Highway 98.

Chairman asked for Commission questions or comments.

Mr. Kirby commented that staff has recommended B-2(a), asked if the owner would accept that zoning designation, and expressed his concerns regarding traffic at this intersection. Mr. Bailey stated that the client would consider B-2(a).

Mr. Kirby stated at the time of the creation of the zoning map, the Commission drew an arbitrary line with zoning designations.

Mr. Bailey asked Ms. Jones to define the uses allowed in a B-2(a) zone. Ms. Jones stated that a convenience store is allowed by Planning Commission approval in B-2(a) zone.

Mr. Bailey asked is Planning Commission approval similar to a special exception and/or conditional use which would allow the Commission to regulate hours of operation, lighting, setbacks and buffers. Ms. Jones confirmed.

Mr. Smith asked if the owner would consider or accept B-2(a). Mr. Bailey agreed to accept B-2(a).

Chairman asked at what point does, the Commission establish those conditions. Ms. Jones stated at site plan review. Mr. Bailey stated a public meeting should take place prior to site plan review.

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Mr. Scott asked if the Commission granted Planning Commission approval for a convenience store would approval run with the land with the same restrictions. Ms. Jones confirmed.

Mr. Sandefur asked what is planned for the remainder of the property. Mr. Bailey stated there are no plans.

Mr. Smith asked if those restrictions are in the ordinance. Ms. Jones stated they are not. The owner will negotiate those conditions with the adjacent property owners, and the Commission will establish which conditions will be enumerated. Mr. Smith asked when this activity takes place. Ms. Jones stated prior to site plan review of this use or any other use requiring planning commission approval of this portion or the remainder of the property.

Mr. Scott commented if the property is not rezoned, the applicant may appeal to the circuit court for a review of the zoning map and deem whether or not it should be B-2 and the Commission will have lost the chance to place conditions on the property.

Mr. Bailey stated at the public meeting, the operating hours of open twenty-four hours was the main concern. Ms. Jones stated final conditions for the use of the land are set by the Planning Commission.

Chairman stated for the record, the Commission has an extensive list of names presented in a petition and correspondence from Mr. Samson opposed to the development and favorable comments from the owner of the apartment complex adjacent to the site.

Chairman opened the floor to public participation.

Bob Patterson, 711 Cedar Drive, spoke in opposition to a convenience store because this development would affect public safety and quality of life. He questioned whether the city regulated hours of operation for businesses.

Earl Kellum, resident of District 2, spoke in opposition and commented on the negative effects of the contamination from airborne chemicals from service stations, public safety, traffic and the effect on the quality of life.

Michael Hobbs, 706 Daphmont Drive, spoke in opposition to the development of a service station and asked the Commission to support the community.

Jewel Lawson, 1001 Johnson Road, spoke in opposition to the service station or rezoning to any business zone, asked the Commission to preserve this historical African American community, and mentioned that the petition presented to the Commission contains one hundred and seventy-three signatures of the residents of Daphmont Subdivision opposed to rezoning.

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Dorothy Williams, 126 Valrie Lane, spoke in opposition to the service station and addressed traffic and noise.

Sankey Reed, III, Pastor, spoke in opposition and stated no service stations in front of a subdivision in Daphne.

Dehabelin Faust, 1001 Pickett Avenue, representative for my mother & grandmother, spoke in opposition to the construction of a service station and additional traffic.

William Wright, 604 Daphmont Drive, spoke in opposition to the service station because of public safety.

Anthony Samson, 800 Daphmont Drive, spoke in opposition, stated that he is pro-business, but asked that the Commission consider a business development that would be in harmony with the neighborhood.

Whitney Hobbs, 706 Daphmont Drive, spoke in opposition, because of public safety.

Larry Yelding, 1207 Daphmont Avenue, spoke in opposition, and stated that the Commission has done a great job and hope that you continue to do so.

Francis Ribbon, resident of Fairhope, spoke regarding the impact of the development at the intersection of U.S. Highway 98 and Parker Road.

Chairman closed public participation and asked for Commission questions or comments.

Ms. Jones stated that to answer Mr. Patterson's question, the City does not regulate hours of operation for any establishment. Chairman asked does that change with Planning Commission approval. Mr. Jones stated that it could be a consideration of Planning Commission approval.

Mr. Hodgson stated that the Commission is not considering approval of the site plan. Chairman commented although the representative has presented a site plan, the Commission is considering the rezoning of the property to B-2.

Mr. Scott responded a gas station is located in front of Malbis Plantation Subdivision which is a part of a planned unit development and commented that he could not support this rezoning.

Chairman asked for a motion.

A **Motion** was made by Mr. Scott and **Seconded** by Mr. Kirby to send an **unfavorable recommendation to Council regarding the rezoning of the subject property for WPNVA, L.L.C., Jay-E, L.L.C., John White-Spunner, & Chester J. Stephan, a five-point eight acre parcel, from R-4 to B-2. There was no discussion on the motion. The Motion carried. Mr. Prescott dissented.**

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The meeting recessed 7:28 and reconvened at 7:35 p.m.

Mr. Scott recused himself from discussion and action on The Citizen's Bank agenda items.

The next order of business is a request of pre-zoning for The Citizens Bank.

An introductory presentation was given by Brian Britt, representative of Kopesky Britt, L.L.C., of a request to rezone a one-point three-six acre parcel located at the northeast corner of Belgrove Avenue and Alabama Highway 181 and stated the one-acre parcel was acquired by foreclosure, is the largest of the residential lots, and was excluded from the covenants of Belle Pointe Subdivision. There is no intended use, may be an office building. The applicant is requesting pre-zoning because an application for rezoning was denied by Baldwin County. The realtor has advised that this is property should be commercial. This development of this property would not negatively affect the residents as there are other properties immediately adjacent to the property that would serve as a buffer.

Chairman asked for Commission questions or comments.

Mr. Sandefur stated that he concern is the request to pre-zone with no intended use which would allow any use in the requested zone. Mr. Britt stated that the setbacks, the size and access to Belgrove Avenue would make it difficult to develop anything other than a professional office.

Mr. Sandefur asked if the owner would consider B-3. Mr. Britt stated the owner would consider it.

Chairman opened the floor to public participation.

Donna Nicholson, representative for the Belgrove Estates and Belle Pointe Subdivision residents, spoke in opposition. She provided a timeline of the applications presented and denied by the Baldwin County Planning Commission and County Commission and shared her concerns regarding business zoning, traffic impact, the negative impact on neighborhood character and property value; furthermore. There are no subdivisions along Alabama Highway 181 which have a commercial development at their entrance other than those which are a part of a planned unit development.

Mike Trzcinski, 26580 Jan Court North, spoke in opposition and stated that he agrees that property along Alabama Highway 181, should be commercial if developed properly, but is opposed to this development because of denied access to Alabama Highway 181, traffic concerns and access to Belgrove Avenue.

Tony Sanchez, 26745 Jan Court North, spoke in opposition, due to the substandard width of Belgrove Avenue and drainage concerns.

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Della Sanchez, 26745 Jan Court North, spoke in opposition, due to the effect on the quality of life.

Cynthia Wolfe, 26730 Highway 181, spoke in opposition and asked the Commission to preserve the cohesive residential neighborhood.

Chairman closed public participation.

Chairman asked for Commission questions or comments.

Chief White asked how the gentleman knows that the applicant could not have access to Alabama Highway 181. Ms. Jones stated there is a note on the plat which states that the access is to Belgrove Avenue.

Chairman asked for a motion.

A **Motion** was made by Mr. Sandefur and **Seconded** by Mr. Kirby to **send an unfavorable recommendation to Council regarding the pre-zoning of the subject property for The Citizens Bank, one-point three six acre parcel, to B-1(a). There was no discussion on the motion.**

Upon roll call vote, the Motion carried.

Mr. Prescott	Aye
Mr. Kirby	Nay
Mr. Smith	Nay
Ms. Bergin	Nay
Mr. Scott	Abstained
Mr. Hodgson	Nay
Mr. Sandefur	Nay
Chief White	Nay

A **Motion** was made by Mr. Prescott and **Seconded** by Mr. Hodgson to **send a favorable recommendation to Council regarding the pre-zoning of the subject property for The Citizens Bank, one-point three six acre parcel, to B-3. There was no discussion on the motion.**

Upon roll call vote, the Motion failed.

Mr. Prescott	Aye
Mr. Kirby	Nay
Mr. Smith	Nay
Ms. Bergin	Nay
Mr. Scott	Abstained
Mr. Hodgson	Aye
Mr. Sandefur	Nay
Chief White	Nay

A **Motion** was made by Mr. Hodgson and **Seconded** by Mr. Prescott to **send a favorable recommendation to Council to annex the subject property for The Citizens Bank, one-point three six acre parcel, into the corporate limits.**

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There was discussion regarding zoning the property to R-1, if the Council doesn't approve another zone.

The Motion carried. Mr. Scott abstained.

The next order of business is Comprehensive Plan discussion.

No action taken.

The next order of business is a presentation by a presentation by Community Development of a motion made on May 15, 2017 by the Ordinance Committee to send the issue of citizens having chickens in their yards within the city limits to the Planning Commission to consider amending the Land Use and Development Ordinance.

No action taken.

The next order of business is public participation.

Chairman asked for public participation.

Corley Lauderdale, representative of Goodwyn, Mills & Caywood, and Charles Dube, representative of Belforest Water Authority, presented correspondence from Belforest Water Board about the Well Head Protection Area, as defined in the Land Use Ordinance.

Chairman closed public participation.

The next order of business is the attorney's report.

Mr. Dungan stated no report.

The next order of business is commissioner's comments.

None presented.

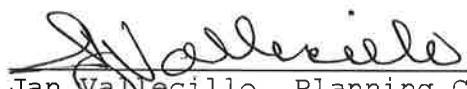
The next order of business is director's comments.

Ms. Jones presented the following:

- a. Independence Day Celebration, 5 p.m., fireworks at dusk @ Al Trione Sports Complex, waterslide, games and free concession.

There being no further business, the meeting was adjourned at 8:37 p.m.

Respectfully submitted by:


Jan Vallecillo, Planning Coordinator

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Approved: July 27, 2017



Ed Kirby, Acting Chairman