

The City of Daphne
Planning Commission Minutes
Regular Meeting of September 28, 2017
Council Chamber, City Hall - 5:00 P.M.

Call to Order:

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:

Andrew Prescott
Charles Smith, Secretary
Marybeth Bergin, Chairman
Phillip Hodgson, Vice Chairman
Ron Scott
Hudson Sandefur
Chief White

Staff Present:

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

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

Chairman asked for questions, comments or corrections to the minutes ***of the regular meeting of August 24, 2017. There being none, minutes are approved as submitted.***

The next order of business is site plan review for Stanton Road Office.

An introductory presentation was given by David Shumer, representative of Barton & Shumer Engineering, requested site plan review of two professional office buildings with associated drainage, parking, utilities, and landscaping located southeast of U.S. Highway 98 and Stanton Road and stated the Public Works Director commented that a sidewalk waiver is realistic in this location as there is no connectivity in this particular commercial/industrial subdivision.

Chairman asked for Commission questions or comments, the order in which the developer plans to build, and about the ADEM permit. Mr. Shumer stated that the owner will construct building two first and will acquire an ADEM permit after approval.

Chief White asked if the landscape plan is in compliance. Ms. Jones confirmed.

Mr. Scott, spoke in opposition of a waiver and asked for consideration of strengthening the ordinance regarding sidewalk requirements.

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Chief White mentioned that Stanton Road is a fire route for the fire station on Profit Drive and is concerned about pedestrians walking in the street.

Mr. Hodgson asked if the Commission can require a sidewalk, after the fact. Ms. Jones stated the council could consider an assessment in those areas that require the installation of sidewalks.

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

A **Motion** was made by Mr. Hodgson and **Seconded** by Mr. Prescott **to approve Stanton Road Office site plan.**

An **Amended Motion** was made by Mr. Hodgson and **Seconded** by Mr. Prescott **to approve Stanton Road Office site plan with a waiver to the sidewalk requirement. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is preliminary/final plat review for First Eastern Shore Subdivision.

An introductory presentation was given by Linda Lee, representative of First Eastern Shore Baptist Association, and stated the purpose of this subdivision is to facilitate a request to purchase a portion of the subject property described as the western most part of the property from the road frontage of Old County Road, extending east four hundred feet. Per the plat submitted, the property is one hundred fifty-four point five-three feet wide at Old County Road resulting in proposed lot one, one-point three-five acres, which if approved will be sold to Micah Gill. At site preview meeting, David Green submitted several questions concerning this request of which she would like to address now.

Chairman stated yes ma'am.

Ms. Lee stated Mr. Gill plans to build a single-family residence on lot one. Currently, the association has no plans to further subdivision lot two. Also, the subdivision came about due to his offer. The dimensions were proposed by him so that he would have a large residential lot. If there are no other concerns related to the submitted plat, the association respectfully request this plat be approved.

Chairman asked for Commission questions or comments.

Chief White asked if the Masonic Lodge was a part of this property. Ms. Lee stated no, it is to parcel to the north.

Chairman asked for Commission questions or comments and opened the floor to public participation.

David Green, 315 Beall Lane, expressed his concern about the current zoning and further subdivision of property.

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Chairman stated the property is zoned R-1 and multiple residential homes cannot be proposed on that lot without further subdividing and obtaining approval of this body.

Chairman closed public participation.

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

A Motion was made by Mr. Prescott and **Seconded** by Mr. Scott **to approve First Eastern Shore Subdivision, preliminary/final plat. There was no discussion on the motion. The Motion carried unanimously.**

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

An introductory presentation was given by Kirk Clayton, representative of Goodwin, Mills & Cawood, requesting preliminary/final plat review of a six-lot subdivision consisting of approximately three-point seven-three acres in the extraterritorial planning jurisdiction located northwest of Gabel and 3rd Street, asked for a waiver of the sidewalk requirement, and stated the City of Fairhope is committed to the installation of a two-inch sanitary sewer on Gabel Street.

Chairman asked for Commission questions or comments.

Mr. Scott stated it is difficult to require the installation of sidewalks that the county will maintain.

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. Hodgson **to approve Montrose Oaks Subdivision, preliminary/final plat with a waiver to the sidewalk requirement. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is preliminary plat review for Oldfield Subdivision, Phase Four.

An introductory presentation was given by Steve Pumphrey, representative of Dewberry/Preble-Rish, requesting preliminary plat review of a fifty-three lot subdivision consisting of approximately seventeen-point three-nine acres located west of Oldfield Subdivision, Phase One, and stated this phase is consistent with the master plan, and the easements shown on the plat and construction plans have been revised. Also, for this phase, the contractor will continue to use the construction entrance to the north.

Chairman asked for Commission questions or comments.

Mr. Scott asked for confirmation that the construction entrance is the farm road to the north. Mr. Pumphrey confirmed.

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Mr. Scott asked if the Baldwin County Board of Education has been notified. Mr. Pumphrey stated cities have begun providing subdivision plats to them. Ms. Jones stated she provided the Board with the master plan for Oldfield Subdivision.

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. Hodgson **to approve Oldfield Subdivision, Phase Four preliminary plat with a condition that the construction access for this phase will be through the farm to market road to the north. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is the vacation of right-of-way for Sarah Rife.

An introductory presentation was given by Dayna Oldham, owner, requesting to vacate twenty-five feet of the right-of-way of Church Street to acquire the grassed area adjacent to the street and an easement will remain for utility services.

Chairman asked for Commission questions or comments.

Mr. Scott commented the city is in the process of installing a privacy fence along the west property line of city hall, and stated the Public Works Director is in favor of the vacation of right-of-way with conditions.

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. Sandefur **of a favorable recommendation to vacate a portion of Church Street with the following conditions: all public utility easements are accommodated and/or preserved prior to vacation; access is not inhibited to any city-owned property (Daphne Art Center); and any and all other recorded and/or prescriptive easements remain in place. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is an administrative presentation for a proposed amendment to the Land Use Ordinance.

Ms. Jones reported briefly on her findings regarding the minimum standards & setbacks for subdivision record plats and prior subdivision regulations in preparation of an amendment to the ordinance for lots of record.

The next order of business is the election of officers.

Chairman opened the floor for nominations for Chairman. Mr. Scott nominated Ms. Bergin. The nominations were closed. With no other nominations, Ms. Bergin is Chairman.

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

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

The next order of business is public participation.

Chairman asked for public participation.

None presented.

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 that the upcoming meeting dates are site preview, October 18 & regular meeting, October 26, 2017.

There being no further business, the meeting was adjourned at 5:41 p.m.

Respectfully submitted by:


Jan Vallecillo, Planning Coordinator

Approved: October 26, 2017


Marybeth Bergin, Chairman