

The City of Daphne
Planning Commission Minutes
Regular Meeting of April 27, 2017
Council Chamber, City Hall - 5:00 P.M.

Call to Order:

The regular meeting of the City of Daphne Planning Commission was called to order at 5:04 p.m.

Call of Roll:

Members Present:

Charles Smith, Secretary
Marybeth Bergin, Chairman
Ron Scott, Councilman
Philip Hodgson, Vice Chairman
Andrew Prescott
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 March 23, 2017.*

During discussion, Ms. Campbell asked to amend the regular minutes of March 23, 2017 to include a modification to the stream buffer requirements.

Revision to March 23, 2017 regular minutes regarding 5A (1), Site Plan Review, File SP17-06 Johnson Road Grading & Drainage Improvements:

Original motion approved in March:

A Motion was made by Mr. Scott and **Seconded** by Mr. Smith *to approve the site plan for Johnson Road Grading & Drainage, subject to U.S. Army Corps of Engineers and ADEM permitting.*

Amended motion:

An **Amended Motion** was made by Mr. Scott and **Seconded** by Mr. Smith *to approve the site plan for Johnson Road Grading & Drainage, subject to U.S. Army Corps of Engineers and ADEM permitting; Planning Commission also allows a modification to the stream buffer and allows construction therein. There was no discussion on the motion. The Motion carried unanimously.*

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After discussion, minutes are approved as amended.

The next order of business is master plan review for South Branch Subdivision.

An introductory presentation was given by William Miller, representative of S. Hickory, Inc., requesting master plan review of South Branch Subdivision located on the east side of Pollard Road, north of Creekside Subdivision.

Chairman asked for Commission questions or comments and has a traffic impact study been provided. Mr. Miller responded the study was presented with the preliminary plat application and noted that the summarization of the study indicated that this subdivision will reduce traffic impacts due to the additional access from this development's connection to the Retreat of Tiawasee through Tiawasee Trace and Stratford Glen Subdivisions.

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

A Motion was made by Mr. Hodgson and **Seconded** by Mr. Smith **to approve the master plan for South Branch Subdivision, contingent upon annexation into the City of Daphne. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is site plan review for Buckley Dental.

An introductory presentation was given by David Shumer, representative of Barton & Shumer Engineering, requesting site plan review of a dental facility located southwest of the intersection of Mill Lane and Timber Circle and stated that the owner proposes to begin construction once an ADEM permit is issued.

Chairman asked for Commission questions or comments.

Mr. Scott referenced the indemnification form for onsite detention and commented TimberCreek POA requires commercial property owners that utilize the common detention in the residential development to participate in the cost of maintenance.

Mr. Dungan commented that cannot be a condition of approval because TimberCreek POA cannot require participation.

Mr. Scott asked that the owner contact the TimberCreek POA to discuss participation.

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

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A **Motion** was made by Mr. Hodgson and **Seconded** by Mr. Scott **to approve the site plan for Buckley Dental. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is preliminary plat review for Blackstone Lakes Subdivision.

An introductory presentation was given by Steve Pumphrey, representative of Dewberry/Preble-Rish, requesting preliminary plat review of a one hundred seventy-five lot subdivision consisting of approximately seventy-three point three-five acres located southeast of County Road 13 and Corte Road. This is the next step of the process so we can move forward with the development, conditioned upon annexation. The developer plans to improve approximately one-quarter mile of Corte Road to County Road 13 and dedicate the additional right-of-way for improvement to Alabama Highway 181. The southern portion of the lots is a senior living, gated community with the roadways identified as private. This section will not qualify for federal assistance in the case of a natural disaster and will require storm debris to be brought to the public section. Also, there remains an issue with regard to the open ditch that must be addressed.

Mr. Johnson stated the engineer proposes the installation of a concrete lined ditch which will require low maintenance and commented on the improvement of Corte Road. If we can meet the developer's timeline, he will provide a monetary contribution, and the city will improve Corte Road from County Road 13 to Alabama Highway 181. If not, the developer will improve a portion of Corte Road to County Road 13, and the city will improve the remainder of Corte Road to Alabama Highway 181.

Chairman asked for Commission questions or comments and if the subdivision is being built in phases and Mr. Pumphrey responded two phases. Chairman asked is the Commission approving both phases. Ms. Jones responded the overall preliminary plan is submitted for review, and then the subdivision is constructed in phases.

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

Richard Jaehne, 9499 Bella Drive, is not opposed to the development, and had commented in the past on traffic issues and stated that he presented this plan to the property owners, and there has not been any negative feedback. Two different access points for the construction entrances of Bellaton, Phase Four and Blackstone Lakes Subdivisions is helpful. We also mentioned the desire for the installation of traffic calming devices in Bellaton Subdivision.

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Councilman Scott commended Mr. Jaehne's approach when presenting traffic issues and the need for improvements in this area because Corte Road may not have been improved without your input. To the City's credit, we found a way to make the necessary improvements for the benefit of the community. Mr. Jaehne responded regarding traffic concerns at Bellaton Avenue and Alabama Highway, and stated by changing that intersection future accidents will be avoided.

Chairman stated that the Commission will not approve a final plat until such time Corte Road is paved to the entrance of first phase of the development.

Chairman closed public participation.

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 preliminary plat for Blackstone Lakes Subdivision, contingent upon annexation into the city; conditioned upon the submission of revisions to address items denoted in a letter dated: April 24, 2017 to the Community Development Director from the Public Works Director and Environmental Programs Manager, and submission of a letter of satisfactory review from the Public Works Director, prior to the issuance of a site disturbance permit. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is preliminary/final plat review for the Resubdivision of Wachter Subdivision.

An introductory presentation was given by David Shumer, representative of Barton & Shumer Engineering, of an existing site plan development of which two of the structures have been constructed, and the owner wishes to separate the lots for conveyance.

Chairman asked for Commission questions or comments, and commented that Commissioners will review the plan again when the owner builds the additional structures. Mr. Shumer stated there is an existing structure on the large lot of which the additional structures are proposed so prior to construction the owner must remove that structure and re-subdivide the lot.

Chairman asked for Commission questions or comments and 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. Smith **to approve Wachter 3-lot Subdivision. There was no discussion on the motion. The Motion carried unanimously.**

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The next order of business is preliminary/final plat review for the Daphne Commercial Storage Subdivision.

An introductory presentation was given by Gerald Byrd, representative of Byrd Surveying, requesting preliminary/final plat review of a one-lot subdivision consisting of approximately one-acre located northwest of the intersection of County Road 64 and Capital Drive and stated we are asking to reduce the minimum side yard restriction on the north side of the property from ten to five feet. The property is zoned B-2, and the side yard setback could be zero as outline in the ordinance.

Chairman asked for Commission questions or comments and stated there were no comments made at site preview.

Mr. Scott commented normally a variance is presented to the BZA. Ms. Jones stated this is not a variance, but rather a request to change a setback on the record plat.

Chairman asked for Commission questions or comments and 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. Smith and **Seconded** by Mr. Prescott **to approve Daphne Commercial Storage Subdivision, Replat of Lot 5, the Resubdivision of Lot 1 of Highway 64 Commercial Park Subdivision. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is final plat review for Canaan Place Subdivision, Phase Two B.

An introductory presentation was given by Steve Pumphrey, representative of Dewberry Preble-Rish, requesting final plat review of a twenty-six lot subdivision consisting of approximately nine-point three five acres located northwest of the intersection of County Road 54 and 54 East and commented that staff deficiencies have been addressed and Community Development are in receipt of correspondence from utility companies.

Chairman asked is it in the extraterritorial planning jurisdiction which would require a county and city signature. Ms. Jones confirmed. Mr. Pumphrey stated Baldwin County staff deficiencies have been addressed.

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 Canaan Place Subdivision, Phase Two B.**

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

Chairman explained that the agenda item of the application for re-zoning for WPNVA, L.C.C., Jay-E, L.L.C., John White-Spunner & Chester J. Stephan, U.S. Highway 98 and Johnson Road has been postponed to the regular meeting of May 25, 2017.

The next order of business is an administrative presentation of the City of Daphne Zoning and Street Map updates.

Ms. Jones requested acceptance of the zoning and street maps.

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

A Motion was made by Mr. Hodgson and **Seconded** by Mr. Scott *to setforth a favorable recommendation to City Council to approve the official zoning and street map. There was no discussion on the motion. The Motion carried unanimously.*

The next order of business is an administrative presentation for street acceptance for Caroline Woods Subdivision, Phase Three B.

Ms. Jones requested acceptance of the streets in Caroline Woods Subdivision, Phase Three B.

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

A Motion was made by Mr. Scott and **Seconded** by Mr. Smith *to setforth a favorable recommendation to City Council to accept the right-of-ways within Caroline Woods Subdivision, Phase Three B. 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 requested that Commissioners review and submit recommendations to Article 35, Section 35-3, Table of Permitted Uses, prior to the next meeting: changes and/or additions which will not adversely affect a Commercial/Industrial zone; and, cumulative uses of a B-2 zone which could be located in a Commercial/Industrial zone as well.

The next order of business is public participation.

Chairman asked for public participation. No one came forward. He closed public participation.

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

Mr. Dungan stated no report.

The next order of business is commissioner's comments.

Mr. Scott asked to implement a method to provide monthly correspondence monthly to the Baldwin County Board of Education regarding new subdivisions. The City Council is in the process of the preparation of a Strategic Plan and requested that the Commissioners begin preparation of an updated Comprehensive Plan.

Mr. Smith commented on an impact fee for a new homeowner. Mr. Scott stated the State of Alabama passed a law which allows the city to charge a reasonable impact fee for development, and a new school districting tax which requires a referendum, but the tax can only be used for school capital and personnel.

Ms. Jones commented that the Mayor and I read the statute and found that the Comprehensive Plan is a streamline of what a master plan should be regarding utility location, roads and transportation and recreation, and there were some items in our existing comp plan that he felt may belong in a strategic plan.

Mr. Dungan suggested review of a recent statute and attorney general opinion which give guidance on the preparation of the Comprehensive Plan.

The next order of business is director's comments.

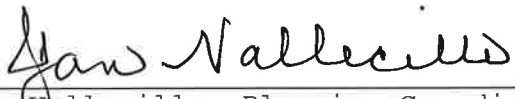
Ms. Jones presented the following:

- a. City Council's recent action to request the Planning Commission to review and consider cumulative zoning;
- b. Upcoming community events - Brown Bag concerts, Thursday, May 4, 12, 18 & 25 and June 1, 2017, 11:30 a.m. - 1:30 p.m.;
- c. The upcoming meeting dates are site preview, May 17 & regular meeting, May 25, 2017;
- d. Allegri/Volovecky pre-zoning request at 181 & 64, 75 acres, PUD & Mixed Use, requested an additional month extension;
- e. Preconstruction meetings are scheduled for May 2 & 16, 2017, 9:00 - 11:00 a.m.

There being no further business, the meeting was adjourned at 6:10 p.m.

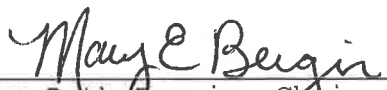
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Respectfully submitted by:



Jan Vallecillo, Planning Coordinator

Approved: May 25, 2017



Mary Beth Bergin, Chairman