

The City of Daphne
Planning Commission Minutes
Regular Meeting of December 15, 2016
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 5:26 p.m.

Call of Roll:

Members Present:

Ed Kirby
Marybeth Bergin, Vice Chairman
Charles Smith, Secretary arrived @ 5:26 p.m.
Ron Scott, Councilman
Philip Hodgson

Staff Present:

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

Vice Chairman commented that the number of members present constitutes a quorum to conduct business, but explained that the Commission cannot address those agenda items of which six members are required to be present for action.

The first order of business under old business is the pre-zoning amendment for Joseph A. Allegri Jr.

Vice Chairman stated this is one of the agenda items that require six members to be present to take action.

Ms. Jones stated this item was tabled at the November meeting, and read Article 22, Section 22-1, Zoning Amendment Procedure, "the application shall be reviewed by the Planning Commission at its next regular meeting and said Commission shall have thirty (30) calendar days from said regular meeting within which to submit a recommendation to the City Council. If the Commission fails to submit a recommendation to the City Council within the thirty (30) day period, it shall be deemed to have approved the proposed amendment"; therefore, due to the lack of a super majority of members present, the pre-zone amendment shall move forward to City Council.

Mr. Scott asked if Commissioners can comment. Ms. Jones confirmed and stated that comments can be a part of the record provided to City Council. Mr. Scott stated that he is in favor of the pre-zone, but asked for a revision to the narrative to elaborate on the protection of the heritage, underserved area, and to explain the village concept prior to the consideration of the City Council.

Mr. Scott asked the date of the public hearing. Ms. Jones stated the

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documentation will be provided to the City Clerk to set a public hearing in February.

The next order of business under new business is an administrative presentation regarding the Daphne Sports Complex, Phase Two.

Vice Chairman stated the Commission is in receipt of correspondence outlining their recommendations for consideration with regard to this application; therefore, there will not be a presentation.

Vice Chairman asked for Commission questions or comments and stated the Chair will entertain a motion.

Mr. Kirby stated the recommendations are from the Public Works Director and asked if Ms. Campbell is in agreement with the proposal. Ms. Campbell confirmed.

A **Motion** was made by Mr. Scott and **Seconded** by Mr. Kirby **to incorporate the recommendations enumerated in the memorandum jointly submitted by Public Works Director and Environmental Programs Manager on December 15, 2016 into the approval of Daphne Sports Complex, Phase Two and said memorandum shall be included in the minutes as Exhibit A. There was no discussion on the motion. The Motion carried unanimously.**

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

Vice Chairman stated that the application was withdrawn at the request of the agent.

The next order of business is final plat review for Brookhaven Subdivision, Unit Three.

An introductory presentation was given by Mr. Andy Bobe, representative of Dewberry Preble-Rish, requesting final plat review of the final phase of a subdivision in existence for approximately ten years, a thirty-nine lot subdivision consisting of approximately fourteen-point seven zero acres located northwest of Gramercy Lane and Whispering Pines Road.

Vice Chairman asked about deficiencies outlined by staff and landscaping. Mr. Bobe responded that deficiencies have been addressed and landscaping installed.

Vice Chairman asked for Commission questions or comments and stated the Chair will entertain a motion.

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A **Motion** was made by Mr. Kirby and **Seconded** by Mr. Smith **to approve Brookhaven Subdivision, Unit Three. There was no discussion on the motion. The Motion carried unanimously.**

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

Vice Chairman stated this is one of the agenda items that require six members to be present to take action.

Ms. Jones stated that this application is postponed until the regular meeting of January.

The next order of business is site plan review for Stratas 181 - Multiple Retail Spaces.

An introductory presentation was given by William Latta, representative of Clark, Geer & Latham, of site plan review for a multiple space commercial building with associated parking located north of Alabama Highway 181 and Woodrow Lane.

Vice Chairman asked about the deficiencies outlined by staff. Mr. Latta responded that the owner has decided to provide the appropriate signage on this parcel in accordance with the ordinance.

Vice Chairman asked for Commission questions or comments and stated the Chair will entertain a motion.

A **Motion** was made by Mr. Kirby and **Seconded** by Mr. Smith **to approve Statas 181 - Multiple Retail Spaces. 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 and Development Ordinance.

Ms. Jones discussed the proposed amendment to the Land Use Ordinance, Article 17, Section 17-4, of the final plat application, addition of a sidewalk bond, and asked Commissioners to review the documentation and provide comments to staff in preparation of a draft for the January meeting.

Mr. Scott stated the Council proposal is sidewalks are installed at the time of construction; or, in lieu of construction, the developer may provide a performance bond for a period of two years, at which time, sidewalks are constructed, or the City may exercise the bond.

Mr. Johnson stated the presentation of a bond for sidewalks is outside of the requirement of a maintenance bond for the development.

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Mr. Johnson stated after the two year period, the developer must contract with the City for the construction of sidewalks within the development, and there also should be the requirement of a sidewalk phasing or master plan with details during preliminary plat review.

The next 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 November 17, 2016. There being none, the minutes are approved as submitted.*

The next order of business is public participation.

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

Merry Christmas!

The next order of business is director's comments.

Ms. Jones presented the following:

Ms. Jones presented the following:

- a. City Council meeting for the pre-zoning of John White-Spunner et al, December 19, 2016, 6:30 p.m.;
- b. City Council meeting for the pre-zoning and annexation of Bertolla Properties, L.L.C., January 3, 2017, 6:30 p.m.;
- c. The upcoming meeting dates are site preview, January 18, & regular meeting, January 26, 2017.

There being no further business, the meeting was adjourned at 5:45 p.m.

Respectfully submitted by:


Jan Vallecillo, Planning Coordinator

Approved: January 26, 2017


Marybeth Bergin, Vice Chairman