

The City of Daphne  
Planning Commission Minutes  
Regular Meeting of February 25, 2016  
Council Chamber, City Hall - 5:00 P.M.

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**Call to Order:**

The regular meeting of the City of Daphne Planning Commission was called to order at 5:02 p.m. The number of members present constitutes a quorum.

**Call of Roll:**

**Members Present:**

William Scully  
Marybeth Bergin, Secretary  
Larry Chason, Chairman  
Tyrone Fenderson  
Ron Scott, Councilman  
Hudson Sandefur  
Chief White

**Staff Present:**

Adrienne Jones, Director of Community Development  
Jan Vallecillo, Planning Coordinator  
Jay Ross, Attorney

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 January 28, 2016. There being none, the minutes are approved as submitted.***

The next order of business is site plan review for Site One.

An introductory presentation was given by Mr. Lee Rambo, representative of Jade Consulting, requesting site plan review of an office and warehouse facility located northwest of Rand Avenue and Public Works Road.

Chairman asked for Commission questions or comments and if revisions of the site plan include a compliant tree survey & landscape plan. Ms. Jones confirmed.

Chairman stated the Commissioners discussed privacy fencing abutting the residential zone. Mr. Rambo stated an eight-foot privacy fence is proposed. Ms. Jones commented that the fence is shown on the plan.

Chairman reiterated the Commissioners discussed the Public Works Director's comment regarding the requirement to install sidewalks in a development which existed prior to the enactment of the regulation and that we will discuss a waiver and make a determination on a case-by-case basis.

**The City of Daphne  
Planning Commission Minutes  
Regular Meeting of February 25, 2016  
Council Chamber, City Hall - 5:00 P.M.**

---

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

**A Motion** was made by Mr. Scott and **Seconded** by Ms. Bergin **to grant approval of the site plan for Site One. The Motion carried unanimously.**

The next order of business is a petition for vacation of easement for Eastern Shore Acquisitions, L.L.C.

An introductory presentation was given by Mr. Rick Davis, representative for Eastern Shore Acquisitions, L.L.C., requesting the vacation of the two 20' by 20' common driveway easements shown on the contiguous lots of the Gardens on Randall Subdivision to allow each lot to be accessed individually on Randall Avenue. For clarification, the large area behind the five road frontage lots was not included in the original declaration, but the amended declaration designates that area as common area and is conveyed to the association for that purpose.

Chairman asked for Commission questions or comments and opened the floor to public participation. No one came forth. He closed public participation and asked for a motion for approval.

**A Motion** was made by Mr. Scott and **Seconded** by Mr. Scully **of a unanimous affirmative recommendation by the Planning Commission to the City Council of Daphne of the vacation of two 20' by 20' common driveway easements of the Gardens on Randall located northwest of the intersection of Pollard Road and Randall Avenue. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is an administrative presentation for street acceptance for Brookhaven Subdivision, Unit Two, Part C.

An introductory presentation was given by Ms. Adrienne Jones, Director of Community Development, recommending acceptance of all streets and right-of-ways contained within Brookhaven, Unit Two, Part C for maintenance, as plat has been recorded in the probate records, the appropriate documents have been submitted, and a two-year maintenance bond has been provided.

Chairman asked for Commission questions or comments and a motion for recommendation of acceptance of the right-of-ways.

**A Motion** was made by Mr. Fenderson and **Seconded** by Ms. Bergin **for an affirmative recommendation by the Planning Commission to the City Council of the acceptance of the right-of-ways of Brookhaven Subdivision, Unit Two, Part C for maintenance. There was no discussion on the motion. The Motion carried unanimously.**

The City of Daphne  
Planning Commission Minutes  
Regular Meeting of February 25, 2016  
Council Chamber, City Hall - 5:00 P.M.

---

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

An introductory presentation was given by Ms. Adrienne Jones, Director of Community Development, recommending acceptance of all streets and right-of-ways contained within Caroline Woods Subdivision, Phase Three A for maintenance, as the plat has been recorded in the probate records, the appropriate documents have been submitted, and a two-year maintenance bond has been provided.

Chairman asked for Commission questions or comments and a motion for recommendation of acceptance of the right-of-ways.

**A Motion was made by Mr. Scully and Seconded by Mr. Fenderson for an affirmative recommendation by the Planning Commission to the City Council of the acceptance of the right-of-ways of Caroline Woods Subdivision, Phase Three A for maintenance. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is planning commission discussion.

Chairman outlined work session discussion of the skeleton of guidelines and stated the City Council is the body to determine the necessity of the creation of an ordinance to regulate food trucks and asked Ms. Jones when it will be presented to Council. Ms. Jones stated the question will be posed at ordinance committee for their thoughts and ideas and a report will be presented to the Commission.

No action was taken.

Ms. Jones distributed a draft compilation of definitions for the use of a manufactured home or modular structure during remodeling, construction of a permanent business; or the temporary and/or permanent use of the operation of a business.

Chairman outlined work session discussion of a nonpermanent structure permitted on a temporary or permanent basis for the operation of a business and commented there should be a set time frame, a strict renewal process, requirement of a narrative, removal of by right in a business district, and should be reviewed on a case-by-case basis. Mr. Scott stated considered as a conditional use.

Ms. Jones stated the Building Department has an issue because there is a grey area that does not address accessory buildings on commercial site used for storage.

Chairman asked for Commission questions or comments.

Mr. Fenderson stated the regulations should establish a fixed period of twelve months and renewals not to exceed eighteen months.

**The City of Daphne  
Planning Commission Minutes  
Regular Meeting of February 25, 2016  
Council Chamber, City Hall - 5:00 P.M.**

---

Ms. Bergin asked does it address temporary structures in residential districts for construction of home or the placement of a FEMA trailer after a natural disaster. Mr. Scott stated that Baldwin County has regulations to address housing provided by FEMA.

Chairman asked for public participation.

Mr. Tom Hand commented about his interest in a coffee shop in a temporary structure at Gold Mine Pawn Shop, 602 U.S. Highway 98, and commented that a temporary business owner could open after the allocated time with a different business name. Chairman stated the approval would be property specific regardless of ownership or name.

Chairman closed public participation.

Chairman asked the Commissioners to provide written comments by email to in preparation for the regular meeting of March. Mr. Scott stated that comments should be directed to staff as to not violate the open meetings law.

The next order of business is public participation.

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

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

Mr. Ross 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. Mr. Charles Smith's brother has passed and he has traveled to Arizona and there will also be a service held at Macedonia Baptist Church;
- b. The SARPC Planning Commissioners Workshop is February 26, 2016 in Mobile from 1-4 p.m.;
- c. The public hearing for the proposed amendment to Article 39, Jubilee Retail Overlay District, Section 39-2 (b), District Requirements, Setbacks and the Bills' No. 2, L.L.C. pre-zoning amendment will be held at the City Council meeting of Monday, March 7, 2016 at 6:30 p.m.;

**The City of Daphne  
Planning Commission Minutes  
Regular Meeting of February 25, 2016  
Council Chamber, City Hall - 5:00 P.M.**

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- d. The upcoming meeting dates are site preview, March 16, and regular meeting, March 24, 2016.

***There being no further business, the meeting was adjourned at 5:53 p.m.***

***Respectfully submitted by:***

  
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Jan Vallecillo, Planning Coordinator

**Approved:** March 24, 2016

  
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Larry Chason, Chairman