The City of Daphne
Planning Commission Minutes
Regular Meeting of December 19, 2013
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 5:00 p.m. The number of members present constitutes a quorum.

Call of Roll:

Members Present:

Ed Kirby, Vice Chairman
Larry Chason, Chairman
Ron Scott, Councilman
Hudson Sandefur
Charles Smith

Members Absent:

Don Terry, Secretary
Monty Montgomery
Chief James "Bo" White

Staff Present:

Adrienne Jones, Director of Community Development
Jan Vallecillo, Planning Coordinator
Missty Gray, Attorney
Ashley Campbell, Environmental Programs Manager

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

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

A **Motion** was made by Mr. Kirby and **Seconded** by Mr. Sandefur ***for approval of the November 21, 2013 regular meeting minutes. There was no discussion on the motion. The Motion carried unanimously.***

Chairman stated the application for Trott Subdivision is continued until the regular meeting of January 23, 2014, due to the lack of a quorum. Action on a subdivision requires six affirmative votes.

The next order of business is site plan review for Marino Place.

An introductory presentation was given by Mr. David Shumer, a representative of Barton & Shumer Engineering, of a retail strip center east of U.S. Highway 98, south of Good Year Tire & Service Center, and north of Daphne 98 Office Park. The ALDOT has granted authorization for a shared use access with the property owner to the north and landscaping of the right-of-way.

Mr. Shumer stated a draft copy of a memorandum of understanding for maintenance has been presented to the City of Daphne.

Chairman asked for Commission questions or comments.

Chairman questioned the proposed location of the fire hydrant and asked if the Fire Marshal recommended acceptance. Mr. Shumer stated we have not received notification to revise the location. Ms. Jones stated the Fire Marshal recommended acceptance as presented. He outlined the remaining items for consideration by the Commission: a waiver of the placement of a sidewalk along U.S. Highway 98 and acceptance of the landscaping of the right-of-way. Mr. Kirby reiterated that the intent of the requirement of a landscape buffer is for it to be a portion of the front setback of the property of which is being developed and not on the state right-of-way. Mr. Shumer stated achieving the square footage of the building is prohibitive because of the width of the right-of-way, the setback from the centerline, and this site is narrow. Mr. Marino, the owner, noted it is an unusual setback and other sites along 98 have landscaped the state right-of-way. He also discussed his willingness to provide a lawful, binding document for maintenance. Chairman noted that the minimum standards outlined in the Ordinance require the landscape buffer to be on your property. If that cannot be achieved, it may require a variance or a rezoning of the property to a B-2 zoning designation. Mr. Scott stated with the unusually large setback from the right-of-way, the location of the drainage facility to the south, and the site is narrow, a variance may be warranted due to the hardship placed on developing the property. He questioned if the Director would recommend the variance if presented. Ms. Jones responded a favorable recommendation could be presented for a variance due to the irregular shape of the lot. Mr. Shumer stated an application for a variance is the plan, and then proceed with site plan review.

Chairman asked for Commission questions or comments and for a motion for a continuance until review by the Board of Zoning Adjustment.

A **Motion** was made by Mr. Kirby and **Seconded** by Mr. Scott ***to table site plan review for Marino Place until the regular meeting of February 27, 2014. No discussion on the motion. The Motion carried unanimously.***

The next order of business is site plan review for Sunrise Marine of Alabama.

An introductory presentation was given by Mr. Doug Bailey, a representative of Hutchinson, Moore & Rauch, of a boat sales facility west of U.S. Highway 98, north of Pizza Hut, south of Subway. As requested, presentation of a letter of concurrence from ALDOT, the addition of a ten by twenty wash down area/dumpster pad, shared drain, an oil/grease separator connected to sanitary sewer, and a revised landscape plan. The plan illustrates the necessary removal of a twenty-inch diameter Heritage Live Oak tree in the center of the proposed driveway and the four replacement trees.

Chairman asked for Commission questions or comments.

Mr. Scott requested documentation of the removal of the Live Oak tree to distribute to the City Council and asked if the development of this site would hinder the proposed expansion of the service road in the future. Mr. Bailey stated the driveway will fall within the footprint of the service road. Mr. Sandefur asked if the placement of the pork chop would prohibit a left turn and the location of a stop sign. Mr. Bailey stated yes, and the stop sign will be placed on this site.

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

A **Motion** was made by Mr. Kirby and **Seconded** by Mr. Sandefur ***to approve the site plan review for Sunrise Marine. In the discussion, the members agreed to waive the sidewalk requirement along U.S. Highway 98. The Motion carried unanimously.***

The next order of business is an administrative presentation for street acceptance of Profit Drive Extension.

Ms. Jones presented a request for the acceptance of one thousand three hundred and fifty linear feet of right-of-way of Profit Road Extension located north of Johnson Road, south of Profit Drive.

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

A **Motion** was made by Mr. Scott and **Seconded** by Mr. Kirby ***for the favorable recommendation by the Planning Commission to the City Council of Daphne of the acceptance of the right-of-way and maintenance of the Profit Drive Extension. There was no discussion on the motion. The Motion carried unanimously.***

The next order of business is an administrative presentation for a mobile food catering establishment at Fast Time Convenience Store.

An introductory presentation was given by Mr. Fred Small, Fast Time Convenience Store, of a forty-six foot mobile food concession and catering establishment, southwest of U.S. Highway 98 and Santa Rosa Avenue and provided for distribution a copy of correspondence regarding the lease of this property from Sunbelt Petroleum.

Chairman asked for Commission questions or comments.

The Commissioners and the representative discussed the matter of mobility and/or placement of a nonpermanent structure for business purposes permitted on a temporary basis on this site.

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

A **Motion** was made by Mr. Kirby and **Seconded** by Mr. Scott ***to approve the mobile food catering establishment for Fast Time Convenience Store for a maximum period of one year in accordance with Section 13-7 (f), Daphne Land Use and Development Ordinance. There was no discussion on the motion. The Motion carried unanimously.***

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

Chairman stated the zoning and street map updates are continued until the regular meeting of January 23, 2014, due to the lack of a quorum.

The next order of business is public participation.

Chairman asked for public participation.

Ms. Karen Barge addressed the Commission to ask permission to present a request to place a mobile food catering establishment on Stanton Road.

Chairman asked Ms. Barge to coordinate with Ms. Jones to present her request at the regular meeting of January 23, 2014. He closed public participation and asked for Commission questions or comments.

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

Ms. Gray had no report.

The next order of business is commissioner's comments.

Chairman stated we have not discussed the proposed sign provisions and asked for questions or comments from the commissioners. Ms. Jones stated this item was removed from the agenda at the Site Preview meeting. Mr. Scott announced that the projected date for review and adoption of the sign provisions by the City Council is March.

The Commissioners would need to provide written comments by email no later than January 10, 2014, in preparation for the January 23, 2014 meeting.

Mr. Scott commended Ms. Ashley Campbell, the Environmental Programs Manager, for being instrumental in attaining a seven million dollar grant on behalf of the City of Daphne for the D'Olive Watershed.

The next order of business is director's comments.

None were presented.

Chairman commented on the consideration of an attachment of a particular zoning designation to applicants requesting an electronic and/or digital sign.

The Commissioner's discussed the desire to hold a work session to discuss the proposed and additional sign provisions. Ms. Jones stated upon verification of available meeting dates with the City Clerk's office, an email will be sent of the selected dates.

There being no further business, the meeting was adjourned at 5:56 p.m.

Respectfully submitted by:

JVallecillo

Jan Vallecillo, Planning Coordinator

Approved: January 23, 2014

Larry Chason, Chairman