

The City of Daphne
Planning Commission Minutes
Regular Meeting of June 26, 2014
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:

Monty Montgomery
Charles Smith
Don Terry, Secretary
Larry Chason, Chairman
Ed Kirby, Vice Chairman
Ron Scott, Councilman
Hudson Sandefur

Staff Present:

Adrienne Jones, Director of Community Development
Jan Vallecillo, Planning Coordinator
Kevin Boucher, 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 May 22, 2014. *There being none, the minutes are approved as submitted. Mr. Kirby and Mr. Montgomery abstained due to their absence at the meeting.*

The next order of business is preliminary/final plat review for Consolidated Acres, Unit Three.

Chairman stated neither the agent and/or the owner are present. He asked for Commission questions or comments and a motion to table.

A Motion was made by Mr. Scott and **Seconded** by Mr. Kirby *to table the preliminary/final plat review for Consolidated Acres, Unit Three, until the regular meeting of July 24, 2014.*

The next order of business is vacation of right-of-way for Rockwell Family, L.P.

Chairman asked if a representative was present.

An introductory presentation was given by Mr. Scott Hutchinson, representative of Hutchinson, Moore and Rauch.

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He requested to table the vacation of a portion of Old Spanish Trail right-of-way along Main Street until the next regular meeting.

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

A Motion was made by Mr. Scott and Seconded by Mr. Smith to table the vacation of right-of-way for Rockwell Family, L.P., until the regular meeting of July 24, 2014.

The next order of business is final plat review for TimberCreek Subdivision, Phase Eleven.

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An introductory presentation was given by Mr. Rusty Lomax, representative of Coleman Engineering Group of McCrory & Williams, of a one hundred lot subdivision consisting of approximately ninety-seven point four nine acres located northwest of the intersection of TimberCreek Subdivision and Interstate 10. He stated we have completed construction of the streets, drainage and utilities and are requesting final approval.

Chairman asked for Commission questions or comments.

Ms. Jones stated we have received correspondence from Riviera Utilities regarding the scheduled completion of the installation of the power and street lights and a surety guarantee of a cashier's check.

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

A Motion was made by Mr. Kirby and Seconded by Mr. Terry to grant final plat approval to TimberCreek Subdivision, Phase Eleven. There was no discussion on the motion. The Motion carried unanimously.

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

An introductory presentation was given by Mr. Richard Sorrell, the owner, of a two-lot family subdivision consisting of approximately three point eight four located on County Road 54 east, for the purpose of the construction of another home.

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

A Motion was made by Mr. Kirby and Seconded by Mr. Scott to grant preliminary/final plat approval to Sorrell 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 TimberCreek Village, Phase Two, Resubdivision of Lots 1 & 2.

An introductory presentation was given by Mr. Daryl Russell, representative of Coleman Engineering Group of McCrory & Williams, of a three-lot subdivision consisting of approximately eight point three nine acre located southwest of the intersection of Highway 31 and Alabama Highway 181.

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

A Motion was made by Mr. Kirby and Seconded by Mr. Scott to grant preliminary/final plat approval to TimberCreek Village, Phase Two, Resubdivision of Lots 1 & 2. There was no discussion on the motion. The Motion carried unanimously.

The next order of business is zoning amendment and annexation review for White-Spunner, Kidco, L.L.C. and Sidno, L.L.C.

An introductory presentation was given by Mr. Daryl Russell, representative of Coleman Engineering Group of McCrory & Williams, of the pre-zoning and annexation of a zero point six three acres parcel located northwest of the intersection of County Road 13 and 64. The purpose of the application is in preparation for a subdivision to include a portion of the adjacent parcel to east and north to replace the sixty-foot strip obtained by the City of Daphne for construction of a traffic circle. The proposed zoning of B-2, General Business, is consistent with the parcels to the north and the west.

Ms. Jones stated the requested zoning of this parcel is consistent with the Comprehensive Plan. Annexation of land at the corner of County Road 64 and 13 is a future goal of the City.

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

A Motion was made by Mr. Scott and Seconded by Mr. Smith of an unanimous affirmative recommendation by the Planning Commission to the City Council of Daphne of the pre-zoning of a of a zero point six three acres parcel located northwest of the intersection of County Road 13 and 64 from a B-1, Professional Business, zone, in Baldwin County District 15, to an B-2, General Business, zone for White-Spunner, Kidco, L.L.C. and Sidno, L.L.C. There was no discussion on the motion. The Motion carried unanimously.

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Commissioners asked why an application for a zoning amendment is submitted with a petition for annexation of a parcel in the extraterritorial planning jurisdiction.

Mr. Boucher stated the 2009 state statute states that an application for a zoning amendment to pre-zone may be submitted one hundred and eighty days in advance of an annexation to ensure that the applicant receives the requested zoning upon annexation.

A Motion was made by Mr. Scott and Seconded by Mr. Kirby of an *unanimous affirmative recommendation by the Planning Commission to the City Council of Daphne of the annexation of a of a zero point six three acres parcel located northwest of the intersection of County Road 13 and 64 from a B-1, Professional Business, zone, in Baldwin County District 15, to an B-2, General Business, zone for White-Spunner, Kidco, L.L.C. and Sidno, L.L.C. There was no discussion on the motion. The Motion carried unanimously.*

The next order of business is an administrative presentation - PUD sketch plan.

An introductory presentation was given by Mr. Steve Pumphrey, representative of Preble-Rish, of St. Charles Village Townhomes, a planned unit development, located southeast of County Road 64 and Pollard Road. This is a proposed townhome development of the property previously known as St. Charles Village, Phase Two, of approximately nine acres and will require the annexation and addition of three lots on County Road 64. It is a fee simple townhome gated community, non-phased development with private roads, amenities, nine and one half units per acre, twenty-four triplexes, or three units per building. The development is presently zoned R-4, High Density Multi-Family Residential, and would require rezoning to an R-7, Townhome District, an zoned overlay Planned Unit Development, and an exemption and/or variance of the fifty foot minimum setback.

Commissioners discussed the main issues: gated private streets, a variance by the Board of Zoning Adjustment, development of a PUD section of the Land Use Ordinance, and the connection to the previous phase of St. Charles Village.

Chairman stated the approval of a variance of the setback would be necessary prior to action on the PUD sketch plan. He asked if the sketch plan could be revised to address Commissioners comments. Mr. Pumphrey requested to be tabled for thirty days.

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

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A Motion was made by Mr. Kirby and Seconded by Mr. Smith *to table the administrative presentation - PUD sketch plan for St. Charles Village Townhomes, until the regular meeting of July 24, 2014.*

The next order of business is staff present of the City of Daphne Comprehensive Plan Review - Housing/Land Use.

Ms. Jones stated I have attended ten committee meeting and have three upcoming meeting scheduled.

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. Boucher stated no report.

The next order of business is commissioner's comments.

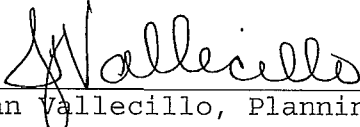
None were presented.

The next order of business is director's comments.

Ms. Jones stated the upcoming meeting dates are site preview, July 16, and regular meeting, July 24, 2014.

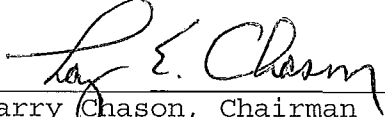
There being no further business, the meeting was adjourned at 6:12 p.m.

Respectfully submitted by:



Jan Vallecillo, Planning Coordinator

Approved: July 24, 2014



Larry Chason, Chairman