

The City of Daphne
Planning Commission Minutes
Regular Meeting of July 24, 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 5:05 p.m. The number of members present constitutes a quorum.

Call of Roll:

Members Present:

Monty Montgomery
Larry Chason, Chairman
Charles Smith
Ron Scott, Councilman arrived at 5:30 p.m.
Hudson Sandefur
Chief White

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 June 26, 2014. There being none, the minutes are approved as submitted.*

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

An introductory presentation was given by Mr. Larry Smith, representative of S. E. Civil, requested preliminary/final plat review, contingent upon the approval of the sketch plan by the Corps of Engineers of the wetland delineation and the addition of the necessary buffers.

Chairman asked for Commission questions or comments and asked if Ms. Jones had reviewed the plan. Ms. Jones stated the plan was not provided prior to the meeting and has not been reviewed by the Environmental Programs Manager. He asked for Commission additional questions or comments and a motion for approval.

A Motion was made by Mr. Smith and **Seconded** by Mr. Montgomery to *grant preliminary/final plat approval to Consolidated Acres, Unit Three, contingent upon approval of the wetland delineation by the Corps of Engineers; the addition of wetland buffers, and acceptance of the Environmental Programs Manager. There was no discussion on the motion.*

The Motion carried unanimously.

The next order of business under new business is master plan revision for the Reserve at Daphne Subdivision, Phase One.

An introductory presentation was given by Mr. Steve Pumphrey, representative of Preble-Rish, of a master plan revision consisting of five hundred and forty-four, one hundred by fifty, single family residential lots. In 2006, the original master plan extended east from Plantation Hills Subdivision to U.S. Highway 90, but this developer did not own that property. He is asking for approval of Phase One of the development tonight and will develop the dark area northwest of this phase, Phase Two, which consists of approximately sixty lots surrounded by wetlands, later.

Chairman asked for Commission questions or comments and stated that he is not prepared to act on the master plan and asked for a motion to table.

A Motion was made by Mr. Scott and Seconded by Mr. Smith to table the master plan revision for further review until the regular meeting of August 21, 2014. There was no discussion on the motion. The Motion carried unanimously.

The next order of business is final plat review for the Reserve at Daphne Subdivision, Phase One.

An introductory presentation was given by Mr. Steve Pumphrey, representative of Preble-Rish, of seventy-eight lot subdivision consisting of approximately eighty-one point one acres located north of the intersection of County Road 64 and Montelucia Way. Preliminary plat approval was given in 2006 by the City of Daphne, but when the development was approximately eighty-five percent complete, the developer walked away from the project. In 2012, a new developer purchased the subdivision and began reconstruction of the existing infrastructure. Recently, he discovered there was a fire hydrant issue. Comments have been addressed for the Fire Marshal, Baldwin County, and the Environmental Programs Manager. She has requested the issuance of a grass bond prior to acceptance.

Chairman asked for Commission questions or comments and asked to discuss the temporary turnaround. Mr. Pumphrey stated there will be a utility easement constructed of shell which will serve as the temporary turn around and not as a connection. He asked for Commission additional questions or comments and a motion for approval.

A Motion was made by Mr. Scott and Seconded by Mr. Sandefur to grant final plat approval to the Reserve at Daphne Subdivision, Phase One.

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During discussion, Mr. Scott commented that Commissioners should address bonding procedures for subdivisions. Chairman stated that was addressed in the Land Use Ordinance in that a development must be ninety percent complete prior to the issuance of a performance bond.

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

The next order of business is preliminary/final plat review for the Resubdivision of Lot 1A, Mark Trione's Belforest Subdivision, Unit 2.

An introductory presentation was given by Mr. Spence Monroe, representative of Ashurt & Neimeyer, of a two-lot subdivision consisting of approximately twelve point zero four, the Resubdivision of Lot 1C, located on the north side of Milton Jones Road, approximately one thousand feet west of U.S. Highway 181 for the purpose of the construction of air conditioning distribution center. Acceptance by Baldwin County is contingent upon the outcome of a rezoning hearing scheduled for Tuesday, August 19, 2014.

Chairman asked for Commission questions or comments and asked if the Baldwin County comments regarding drainage had been added to the plat. Mr. Monroe stated the Baldwin County comments have been addressed.

Mr. Sandefur asked if there is a business planned on Lot 1B. Mr. Monroe confirmed that there is a building under construction on this lot.

Commissioned discussed the requirement of a master plan prior to the approval of any further subdivision of this property. Mr. Monroe responded I do not think the owner will have a problem with that.

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. Scott and Seconded by Mr. Smith to grant preliminary/final plat approval for the Resubdivision of Lot 1A, Mark Trione's Belforest Subdivision, Unit 2, contingent upon a note being placed on the plat, no further subdividing of the lot will be allowed without the presentation of a master plan. There was no discussion on the motion. The Motion carried unanimously.

The next order of business is subdivision replat review for the Resubdivision of Lots 382 & 383, Resubdivision of a part of Plantation Hills Subdivision, Unit One.

An introductory presentation was given by Mr. Bobby McBryde, representative of Rowe Surveying.

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Mr. McBryde stated this is a two-lot subdivision consisting of approximately zero point six acres located south of U.S. Highway 90, southwest of Geneva Drive and Robbins Boulevard for the purpose of relocating the interior line.

Chairman asked for Commission questions or comments and stated at site preview, the Commissioners asked to remove the easement from the buildable area of the corner lot to the east. Mr. McBryde stated there is an existing structure on one of the lots, and the replat has been revised to adjust the building setback line to not exclude the easement.

Chairman asked why a subdivision exemption is reviewed by the Commission. Ms. Jones said a subdivision exemption requires the action of the Planning Commission; this is not a subdivision.

A Motion was made by Chief White and Seconded by Mr. Smith to grant subdivision replat approval to the Resubdivison of Lots 382 & 383, Resubdivision of a part of Plantation Hills Subdivision, Unit One. There was no discussion on the motion. The Motion carried unanimously.

The next order of business is an administrative presentation of street acceptance for TimberCreek Subdivision, Phase Eleven.

Ms. Jones presented a request for acceptance of all right-of-ways contained within the record plat of TimberCreek Subdivision, Phase Eleven. A recommendation by the Commission is necessary for the acceptance by resolution of the City Council for maintenance, contingent upon a two-year warranty bond.

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

A Motion was made by Mr. Scott and Seconded by Mr. Smith for the favorable recommendation by the Planning Commission to the City Council of Daphne of the acceptance of all right-of-ways and maintenance of Tamerack Drive, Persimmon Drive, Hemlock Street, Elderberry Drive, Pine Run, and Pine Run Court in TimberCreek Subdivision, Phase Eleven. 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.

Ms. Jones presented a request for the acceptance of the zoning and street map updates consisting of the addition of TimberCreek Subdivision, Phase Eleven and Bellaton Subdivision, Phase Three and no zoning changes.

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

A *Motion* was made by Mr. Scott and *Seconded* by Mr. Smith *to grant approval of the Street Map and of an affirmative recommendation by the Planning Commission to the City Council of Daphne for the adoption of the City of Daphne Zoning Map. There was no discussion on the motion. The Motion carried unanimously.*

The next order of business is Planning Commission discussion.

Ms. Jones stated an A-1, Agriculture District, will consist of two categories: non-residential and/or farming and rural estate residential. Chairman commented that the district should be comparable to an R-1 or R-2 residential district in order to be compatible with small lots.

Chairman requested the preparation and distribution of a draft copy of Planned Unit Development regulations for Commission review and comments.

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.

Mr. Scott asked that a subdivision inventory be provided to the MPO representative for future planning purposes.

Chairman commented on the necessity of an appointment of a ninth Planning Commission member, due to lack of attendance at meetings, and asked for Commission questions or comments.

Commissioners discussed the possibility of a temporary appointment. Mr. Boucher stated the Mayor does not have the authority to do a temporary appointment. An appointment must be for a term of six years, unless an appointment is to complete the term.

A *Motion* was made by Mr. Scott and *Seconded* by Chief White *to request the City Attorney to discuss an appointment of a Planning Commission member with Mayor Dane Haygood. The Motion carried unanimously.*

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The next order of business is director's comments.

Ms. Jones presented the following:

The developer has requested the formal presentation of correspondence to withdraw for the preliminary/final plat for Malbis Plantation Subdivision. This does not require any action by the Planning Commission.

The National Business Institute continuing education class on Land Use Law is October 2, 2014 at the Marriott, Airport Boulevard, in Mobile.

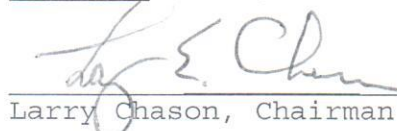
Your Town Alabama conference is September 8-10, 2014. Attendance of a Planning Commission member is requested with participation each year of which the expenses will be paid by the City of Daphne.

There being no further business, the meeting was adjourned at 6:09 p.m.

Respectfully submitted by:


Jan Vallecillo, Planning Coordinator

Approved: August 21, 2014


Larry Chason, Chairman