The City of Daphne
Planning Commission Minutes
Regular Meeting of October 25, 2018
Council Chamber, City Hall - 5:00 P.M.

Call to Order:

Chairman called the regular meeting of the City of Daphne Planning Commission to order at 5:03 p.m. The number of members present constitutes a quorum.

Call of Roll:

Members Present:

Angie Phillips
Charles Smith
Ed Kirby
Marybeth Bergin, Chairman
Andrew Prescott, Secretary
Ron Scott
Phillip Hodgson, Vice Chairman
Chief White

Staff Present:

Adrienne Jones, Director of Community Development
Jan Vallecillo, Planning Coordinator
Jay Ross, Attorney
Troy Strunk, Executive Director, City Development

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 September 27, 2018. There being none, minutes are approved as submitted.***

The next order of business is final plat review for Oldfield Subdivision, Phase 3A.

An introductory presentation was given by Joe Rector, representative of Mullins, L.L.C., requesting final plat review of a forty-lot subdivision consisting of approximately fourteen point one-six acres located north and west of Oldfield Subdivision, Phase One and stated Commissioners postponed action at the last meeting pending resolution of grading and drainage issues. Staff deficiencies have been addressed by the presentation of a revision to the plans and covenants.

Chairman asked for Commission questions or comments and stated staff recommends acceptance. Mr. Scott asked should the covenants be recorded prior to the issuance of building permits. Public Works Director concurred.

Chairman asked for Commission questions or comments and a motion.

A **Motion** was made by Mr. Scott and **Seconded** by Ms. Phillips ***to approve the Oldfield Subdivision, Phase 3A final plat with the condition that the Supplemental Declaration of Covenants shall be recorded prior to the issuance of building permits. There was no discussion on the motion. The Motion carried unanimously.***

The next order of business is a site plan review for Home 2 Suites.

An introductory presentation was given by Anil Badve, representative of P & R Property & Investments, L.L.C., requesting site plan review of an eighty-nine room hotel located northwest of Sawwood Street and Woodrow Lane and stated staff deficiencies have been addressed by the presentation of a revision to the plans to provide for on-site detention.

Chairman asked for Commission questions or comments and about landscaping in the rear utility easement. She stated staff recommends acceptance. Mr. Badve responded that the location of the trees will be identified and approved by Daphne Utilities prior to installation.

Chairman asked for Commission questions or comments and a motion.

A **Motion** was made by Mr. Kirby and **Seconded** by Ms. Phillips ***to approve Home 2 Suites hotel site plan.***

Mr. Kirby withdrew his motion and stated that Commissioners have not discussed sidewalks.

During discussion, Ms. Jones responded that she had recommended a waiver of the sidewalk requirement because there are no sidewalks on Sawwood Street.

A **Motion** was made by Mr. Kirby and **Seconded** by Ms. Phillips ***to approve Home 2 Suites hotel site plan and a waiver of sidewalk requirement along Sawwood Street. There was no discussion on the motion. The Motion carried unanimously.***

The next order of business is preliminary/final plat review for the Resubdivision of Lot 1A, TimberCreek Village, Phase Two, Resubdivision of Lots 1 & 2.

An introductory presentation was given by Scott Hutchinson, representative of Hutchinson, Moore & Rauch, requesting preliminary/final plat review of a two-lot subdivision consisting of approximately five-point eight-nine acres located southwest of U.S. Highway 181 and Highway 31 for the purpose of the creation of a lot for ALDI Grocery Store.

Chairman asked for Commission questions or comments. Mr. Scott asked for consideration of the residents on Pine Court by the mitigation of the hours for deliveries and garbage service. Mr. Hutchinson deferred a response to the representative of ALDI Grocery Store.

Chairman opened the floor to public participation. No one came forth. She closed public participation and asked for a motion.

A **Motion** was made by Ms. Phillips and **Seconded** by Mr. Smith ***to approve the Resubdivision of Lot 1A, TimberCreek Village Subdivision, Phase Two, Resubdivision of Lots 1 & 2 preliminary/final plat. There was no discussion on the motion. The Motion carried unanimously.***

The next order of business is a site plan review for ALDI Grocery Store.

An introductory presentation was given by Nikolas Melancon, representative of Duplantis Design Group, requesting site plan review of a retail grocery store located southwest of U.S. Highway 181 and Highway 31. He noted that the loading dock is fifty-feet from the property line, trees in this area will remain; and, an additional buffer is created by the remainder of the property to the west.

Chairman asked for Commission questions or comments. Mr. Smith asked about lighting and Mr. Melancon responded lighting at the rear of the building is directed toward the loading dock for delivery purposes.

Mr. Hassen, Director of Real Estate for ALDI, responded to Mr. Scott's comment and stated with respect to your concerns, ALDI limits their hours of operation to prohibit traffic at all hours of the night and provides shrouding for lighting if that is an issue in order to be good stewards to the neighborhood.

Chairman asked about deficiencies outlined by the Public Work Director and the existing access drive. Mr. Melancon responded his comments have been addressed by the realignment of the access drive, expansion and relocation of the radius at Alabama Highway 181, and improvement of the existing parking area.

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

A **Motion** was made by Mr. Scott and **Seconded** by Mr. Prescott ***to approve ALDI grocery store site plan. There was no discussion on the motion. The Motion carried unanimously.***

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

An introductory presentation was given by Johnny Holley, representative of M & H Commercial Investments, L.L.C., requesting preliminary/final plat review of a two-lot subdivision consisting of approximately four-point nine-one acres located at the southeast corner of County Road 13 and Milton Jones Road.

Chairman asked for Commission questions or comments and stated there are improvements on the site. Mr. Scott asked for consideration of annexation into the City of Daphne.

Chairman opened the floor to public participation. No one came forth. She closed public participation and asked for a motion.

A **Motion** was made by Mr. Prescott and **Seconded** by Ms. Phillips ***to approve ChemPro Subdivision preliminary/final plat. There was no discussion on the motion. The Motion carried unanimously.***

The next order of business is preliminary/final plat review for Randall Place.

An introductory presentation was given by Harry Johnson, representative of HPJ Properties, L.L.C., requesting preliminary/final plat review of a two-lot subdivision consisting of approximately zero-point four-five acres located at the southeast corner of Randall Avenue and Guarisco Street pending rezoning of the subject property.

Chairman asked for Commission questions or comments.

Chairman opened the floor to public participation. No one came forth. She closed public participation and asked for a motion.

A **Motion** was made by Mr. Scott and **Seconded** by Mr. Prescott ***to approve Randall Place Subdivision preliminary/final plat, pending rezoning to R-6(G), Garden/Patio Home District. There was no discussion on the motion. The Motion carried unanimously.***

The next order of business is Planning Commission discussion.

Ms. Jones commented about the Olde Towne Daphne District and an additional amendment creating the Olde Towne Daphne Residential District presented to Ordinance Committee, pending revisions prior to presentation of a draft to the Commission. The proposed amendment would allow the Planning Commission to grant exceptions to minimum lot area and width, maximum density, minimum building setbacks and/or other district requirements. She noted the criteria for consideration of an exception is existing character, conditions, context, and conformity with the surrounding properties.

Mr. Scott asked for consideration of a work session for presentation of the amendments and reiterated that proposed language is a result of the denial of a variance for a subdivision re-plat of three-lots by the Board of Zoning Adjustment. Mr. Strunk concurred and commented a presentation can be set once the necessary revisions are made. Ms. Phillips requested a revision of should to shall. Mr. Kirby concurred.

Pat Rudicell, Councilman and resident of Daphne, stated that the proposed amendment would provide relief for nonconforming lots of record and commented that the previous amendment was loose in interpretation.

The next order of business is public participation.

Chairman asked for public participation.

None presented.

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

Mr. Ross advised of proposed litigation by WPNVA, L.L.C., Jay-E, L.L.C., John White-Spunner, & Chester J. Stephen for denial of the zoning amendment by the City Council on May 7, 2018.

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:

1. City Council Actions:
   a. 2nd read for Cynthia Dixon zoning amendment on November 5, 2018; and,
2. The upcoming meeting dates are site preview, November 14 & regular meeting, November 29, 2018;and,
3. Happy Thanksgiving!

There being no further business, the meeting was adjourned at 5:54 p.m.

Respectfully submitted by:

Jan Vallecillo

Jan Vallecillo, Planning Coordinator

Approved: November 29, 2018

Mary E Bergin

Marybeth Bergin, Chairman