

**The City of Daphne
Planning Commission Minutes
Regular Meeting of February 27, 2025
Council Chamber, City Hall - 5:00 P.M.**

Call to Order:

The Chairman called the regular meeting of the City of Daphne Planning Commission to order at 5:00 p.m. The number of members present constitutes a quorum.

Call of Roll:

Members Present:

Kevin Spriggs, Secretary
Bobby Purvis
John Peterson, Vice Chairman
Andrew Prescott, Chairman
Lucy Watkins
Richard Johnson
Steve Olen

Staff Present:

Adrienne Jones, AICP, Director of Community Development
Brittney Epling, Planner
Jan Vallecillo, Planning Coordinator
Patrick Dungan, Attorney
Andy Bobe, City Engineer
Jesi Ward, Environmental Programs Manager

The Chairman asked for input regarding the rescheduled meeting of January 30, 2025 regular meeting minutes presented by staff. There being none, minutes stand approved as submitted.

The Chairman called for the next order of business: The Reserve at Daphne, Phase 4 Preliminary Subdivision Plat Review.

An introductory presentation was given by the agent, Larry Smith. He provided a summary of the preliminary subdivision plat as presented on the meeting agenda.

The Chairman asked about staff comments.

Mr. Bobe stated that the development of a bridge in a floodway requires that the developer acquire a floodplain development permit prior to the issuance of a site disturbance permit. Mrs. Ward commented that the ordinance requires Planning Commission approval of an enhanced BMP plan.

The Chairman opened the floor for public hearing. The floor was closed after no one came forward to speak.

Hearing no further comments from the commissioners, the Chairman called for a motion.

The City of Daphne
Planning Commission Minutes
Regular Meeting of February 27, 2025
Council Chamber, City Hall - 5:00 P.M.

A motion was made by Mr. Olen and seconded by Mr. Prescott to approve The Reserve at Daphne, Phase 4 preliminary subdivision plat with conditions that the site disturbance permit shall not be issued until after a Floodplain Development Permit has been submitted to and approved by the City Engineer and an Enhanced BMP plan has been submitted to and approved by the Environmental Programs Manager. There was no discussion on the motion. The motion carried unanimously.

The Chairman called for the next order of business: The Reserve at Daphne, Phase 5 Preliminary Subdivision Plat Review.

An introductory presentation was given by the agent, Grayson Bertolla. He provided a summary of the preliminary subdivision plat as presented on the meeting agenda.

The Chairman asked about staff comments. Mr. Bertolla stated that staff comments have been addressed. Mr. Bobe commented he added a traffic calming device. Mrs. Ward commented that the ordinance requires Planning Commission approval of an enhanced BMP plan.

The Chairman opened the floor for public hearing. The floor was closed after no one came forward to speak.

Hearing no further comments from the commissioners, the Chairman called for a motion.

Mr. Olen questioned whether the motion should parallel the previous motion. Mrs. Jones responded yes or contingent upon the issuance of the site disturbance permit for The Reserve at Daphne, Phase Four.

A motion was made by Mr. Olen and seconded by Mr. Peterson to approve The Reserve at Daphne, Phase 5 preliminary subdivision plat contingent upon the issuance of the site disturbance permit for the Reserve at Daphne Preliminary Subdivision, Phase 4. There was no discussion on the motion. The motion carried unanimously.

The Chairman called for the next order of business: Schiefflin Estates Preliminary Subdivision Plat Review.

An introductory presentation was given by the agent, Seth Moore. He provided a summary of the preliminary subdivision plat as presented on the meeting agenda and requested to table the application until the engineering design is complete.

The Chairman questioned whether a motion is required.

Mrs. Jones stated yes, but as mentioned to Mr. Moore, should the adjacent property owners present wish to participate, the public hearing should be held prior to tabling the application.

**The City of Daphne
Planning Commission Minutes
Regular Meeting of February 27, 2025
Council Chamber, City Hall - 5:00 P.M.**

Mr. Spriggs commented about Schiefflin Lane as being a non-compliant publicly maintained right-of-way. Improvements for detention should be required to migrate the stormwater rather than improving the right-of-way.

Mr. Bobe commented to comply with the Fire Code, a right-of-way must have a minimum width of twenty-feet.

Mr. Peterson questioned whether the ordinance is silent with regard to the width of a right-of-way. Mr. Bobe responded no, the typical width is fifty-feet and in this case the applicant would only dedicate that portion of the right-of-way that must be improved for access to the lots.

The Chairman opened the floor for public hearing regarding the subdivision.

Chris McConico, 713 Schiefflin Lane, spoke in opposition with concerns regarding drainage, traffic and encroachment onto the adjacent properties.

David Green, 315 Beall Lane, spoke in opposition with concerns regarding the width of the right-of-way and drainage.

Gwendolyn McConico, 713 Schiefflin Lane, spoke in opposition with concerns regarding the improvement of the right-of-way, installation of a fire hydrant, safety, traffic and street lights.

The Chairman closed the floor to the public hearing and offered the agent the opportunity for rebuttal.

Mr. Moore stated the owner proposes to install water, sewer and a fire hydrant, as well as, bio-retention, gravel and/or rock driveways and rain gardens.

Mr. Johnson commented on the improvement of Schiefflin Lane. He noted the difference between a road and lane; the city's previous road improvements which occurred approximately twelve years ago; and, the challenge of modern development requirements in historical areas.

Mr. Johnson agreed that detention was a more pressing concern than the limited access.

Mr. Moore said that the Schiefflin family owned a strip of land from Main Street to the bay, and that the lane has been there for more than one hundred years.

Hearing no further comments from the commissioners, the Chairman called for a motion.

**The City of Daphne
Planning Commission Minutes
Regular Meeting of February 27, 2025
Council Chamber, City Hall - 5:00 P.M.**

A motion was made by Mr. Olen and seconded by Mr. Spriggs to postpone the review of Schiefflin Estates preliminary subdivision plat until the March 27, 2025 Planning Commission meeting. There was no discussion on the motion. The motion carried unanimously.

Chairman called for the next order of business: Louisa Marco Toler Revocable Trust Dated: July 24, 2024 Pre-Zoning Amendment.

An introductory presentation was given by the agent, Cathy Barnette. She summarized the pre-zoning request as presented on the agenda and noted that the zoning requested is consistent with the comprehensive plan. She stated the petition for annexation was presented to the legislature in January for evaluation and action in April.

Mr. Spriggs asked about pre-zoning the subject property to a PUD. Mrs. Barnette stated that is not an option as this time.

Mr. Johnson provided a commentary regarding the proposal and stated that the commercial zoning along County Road 64 is reasonable; however, the thirty-acre tract is not conducive to commercial development because Rigsby Road is a rural residential roadway, and the use is not consistent with the Comprehensive Plan. The requested zoning designation for the residential portion of the property should consist of R-3, Single Family Residential, and R-6(G), Garden or Patio Home, because the integration would give the appearance of being compliant with the Comprehensive Plan's definition of a "Traditional Neighborhood," and the interconnectivity would support the current and the future road network for both the current and future residents. Additionally, buffering between the commercial and residential districts should be required to exceed the current regulations to protect the residential districts.

The Chairman opened the floor for public hearing regarding the pre-zoning request.

Susan Vermeulen, 10654 Conaway Lane, spoke in opposition and stated that the property along Rigsby Road should be rezoned to single family residential rather than industrial and expressed concerns about drainage.

The Chairman closed the floor to the public hearing and offered the agent the opportunity for rebuttal.

Mrs. Barnette responded that the zoning of the property will be for business not industrial uses.

Hearing no comments from the commissioners, the Chairman called for a motion.

The City of Daphne
Planning Commission Minutes
Regular Meeting of February 27, 2025
Council Chamber, City Hall - 5:00 P.M.

A motion was made by Mr. Peterson and seconded by Mr. Prescott to set forth a favorable recommendation to the City Council to pre-zone the subject property to R-6(G), Garden or Patio Home, and B-2(a), General Business Alternate as presented for Louisa Marco Toler Revocable Trust Dated: July 24, 2024. There was no discussion. The motion carried. Mr. Johnson dissented.

The Chairman called for the next order of business: The Church of the Highlands Vacation of Easement.

An introductory presentation was given by the agent, Todd Smith. He summarized the vacation of the easements as presented on the agenda and stated that the request is to vacate the fifteen-foot easement between Lots 1 and 2, and the thirty-foot access and utility easement on Lot 2.

Hearing no comments from the commissioners, the Chairman called for a motion.

A motion was made by Mr. Johnson and seconded by Mr. Olen to set forth a favorable recommendation to the City Council to vacate said easements for the Church of the Highlands. There was no discussion. The motion carried unanimously.

The Chairman called for the next order of business: Bertolla Properties, LLC Vacation of Right-of-Way.

An introductory presentation was given by the agent, Larry Smith. He summarized the vacation of the old portion of Austin Road right-of-way as presented on the agenda and stated this is a request to reprocess the prior application due to a technicality.

Hearing no comments from the commissioners, the Chairman called for a motion.

A motion was made by Mr. Olen and seconded by Mr. Johnson to set forth a favorable recommendation to the City Council to vacate the right-of-way for Bertolla Properties, LLC. There was no discussion. The motion carried unanimously.

The Chairman called for the next order of business: public participation.

None presented.

The Chairman called for the next order of business: attorney's report.

Mr. Dungan had no report. Happy Mardi Gras!

The Chairman called for the next order of business: commissioner's comments.

None presented.

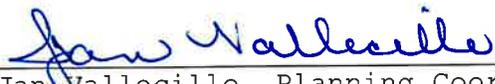
**The City of Daphne
Planning Commission Minutes
Regular Meeting of February 27, 2025
Council Chamber, City Hall - 5:00 P.M.**

The Chairman called for the next order of business: director's comments. Director commented that decisions regarding Schiefflin Estates should account for future development potential associated with the R-1 zoned undeveloped parcel located to the south of Schiefflin Lane.

Mrs. Jones also presented that the upcoming meeting dates. Site Preview is March 19th and the Regular Meeting is March 27, 2025.

There being no further business, the meeting was adjourned at 6:10 p.m.

Respectfully submitted by:



Jan Vallecillo, Planning Coordinator

Approved: March 27, 2025



Andrew Prescott, Chairman