

**The City of Daphne
Planning Commission Minutes
Regular Meeting of November 20, 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 5:03 p.m. The number of members present constitutes a quorum.

Call of Roll:

Members Present:

Kevin Spriggs, Secretary
Bobby Purvis
Oliver Roberts
John Peterson, Vice Chairman
Andrew Prescott, Chairman
Lucy Watkins
Steve Olen
Nathan Jones

Staff Present:

Adrienne Jones, AICP, Director of Community Development
Jan Allen, Planning Coordinator
Patrick Dungan, Attorney
Troy Strunk, Executive Director, City Development
Andy Bobe, City Engineer
Jesi Ward, Environmental Programs Manager

Approval of Minutes:

The Chairman called for the first order of business: approval of minutes.

The Chairman asked for input regarding the October 23, 2025 regular meeting minutes presented by staff. There being none, minutes stand approved as submitted.

Public Participation:

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

The Chairman stated public participation will be opened shortly. He advised that The Sabal at Fish River, Phase 1 and associated agenda items have been tabled at the request of the applicant to the regular meeting of December 18, 2025. He also stated that a public hearing will be required for Grindstone so please hold your comments until that agenda item is heard. He noted that a public hearing will not be held for the Oak Grove Estates Master Plan Amendment so should you wish to speak, do so during public participation.

The Chairman then opened the floor to public participation.

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Lisa Rummer, 27706 Rhone Drive, stated as a condition of approval the Planning Commission required the addition of a note which states, "a future connection to Lot 2 is to be established and a construction entrance for future phases will be directed to Pollard Road." She also stated that the residents of Tiawasee strongly oppose the proposed amendment and respectfully request that the Commission deny the proposal as presented.

The Chairman closed the floor to the public hearing.

Old Business:

Chairman called for the next order of business: Master Plan Revision for Oak Grove Estates.

An introductory presentation was given by the agent, Jason Wooten. He provided an overview of the master plan amendment as presented on the meeting agenda. He stated that the applicant is requesting the removal of the bridge requirement and noted that the subject property as presented meets the zoning and subdivision regulations.

Mr. Spriggs asked for clarification on the length of the bridge. Mr. Wooten stated the bridge design must maintain the floodplain elevation based on the cross section of the creek in its present state.

Mr. Spriggs asked about considering mitigating the wetlands. Mr. Wooten stated permitting is a lengthy permit process and that the length must be maintained to avoid floodplain issues.

Mr. Olen asked the approval date of Oak Grove Estates, Phase One and the length of time thereafter that the developer sought an amendment to the Oak Grove Master Plan. Mr. Wooten advised that he did not know the date, but that the amendment request was presented approximately one month after the approval.

Mr. Olen noted that Oak Grove Estates has been under active review by this Commission since 2017 and presented the following: the connectivity that the bridge provides has been a consistent and reoccurring theme of each proposal presented by the applicant; the 2017 master plan provided for a direct connection to Pollard Road; there is no record of opposition by the applicant to the connection prior to seeking this amendment; the 2022 master plan amendment has the connection to Pollard Road and staff emphasized the importance of connectivity; this is consistent with the Land Use Ordinance and Comprehensive Plan; a master plan was approved in 2023, conditioned upon the developer constructing a connection to Pollard Road as a part of the development of Phase 2 and/or any subphase thereof, and the developer agreed to construct a bridge; the developer then had a fifteen day-period to appeal, but continued with the construction and final approval of Phase One; therefore, the 2023 master plan is binding in that Section 15-3 of the Land Use Ordinance is the instrument that controls subsequent phases.

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Mr. Olen read the comments of Susan Shaw, an adjacent property owner, "If a developer can obtain approval of a plan, purchase land under those terms, and later return to obtain cheaper and easier access routes out through established neighborhoods, it significantly weakens the credibility of the City's planning process. A developer must be held to the agreements and requirements under which he received the initial approval. Granting this request would send a message that developers can disregard established standards when they become inconvenient and shifting the burden of inadequate planning onto residents in the city rather than project proponents."

Mr. Olen further commented on the applicant's attorney's comments presented at the site preview meeting. He stated that Section 15-3 states that a master plan is required for phased developments to provide connections between phases, vehicular networks, ingress and egress consistent with the Comprehensive Plan. The Comprehensive Plan designates the Pollard Road corridor as a key connector, identifies connectivity between subdivisions as a major transportation and safety objective, and because the developer did not raise an objection and/or appeal the 2023 master plan condition for the construction of a bridge for access to Phase 2, the condition is the final action of the Commission and cannot be modified or challenged. The applicant waived any such challenge to the validity because he did not present an appeal in a timely fashion. Also, the applicant relied on that approval in 2023 to seek approval of and to construct Phase One, thereby accepting the condition placed on the plan. He reiterated that with every version of the subdivision presented over an eight-year period, the applicant never raised an objection to the construction of a bridge. He also stated that the bridge requirement and the roadway connection directly relate to the ninety-seven additional lots that will be built by providing the following benefits: safety and emergency access, disbursing construction traffic, reduction of the congestion in the adjacent neighborhoods, implementation of the City's Comprehensive Plan; and all of those things are traditional, clearly recognized governmental interests that have a direct relationship to how this subdivision is built.

Mr. Olen also commented, in response to the Dolan case cited by the applicant's attorney at the site preview meeting regarding proportionality, which means whatever the requirements that the Commission impose must be proportionate, that it is clear that a bridge and a roadway connection between the two phases is clearly and directly proportional to the additional traffic and emergency access required for the ninety-seven additional single-family residential lots.

Mr. Olen stated, in summary, the master plan amendment is binding, there is no reason under Alabama Law to reopen a final condition simply because the developer decided later that it is too expensive or undesirable; the law views this as an impermissible collateral attack because the developer did not appeal the decision and instead presented an amendment.

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Mr. Olen reiterated that the burden on the neighborhoods is relevant, appropriate, highly material and noted that routing residential and construction traffic through Stratford Glen Subdivision and Tiawasee Subdivision would degrade the infrastructure, increase cut through traffic, impair emergency access and would be contrary to the connectivity requirement of Section 15-3 of the Land Use Ordinance.

Mr. Spriggs reiterated his comments about the required length of the bridge and questioned the wetland determination. Mrs. Ward stated that the wetlands are adjacent to the stream.

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

A motion was made by Mr. Olen and seconded by Mr. Jones to deny the applicant's request to amend the Oak Grove Estates Master Plan as it is inconsistent with Section 15-3 of the Land Use and Development Ordinance; inconsistent with the Comprehensive Plan connectivity objectives; contrary to findings and conditions of the Planning Commission's 2023 Master Plan approval; removal of the Pollard Road connection would negatively impact traffic circulation, emergency access and neighborhood compatibility; therefore, the 2023 conditions are final and binding; and, staff recommended denial. There was no discussion. The motion carried unanimously.

The Chairman advised that The Sabal at Fish River, Phase 1 and associated agenda items have been tabled at the request of the applicant to the regular meeting of December 18, 2025.

New Business:

The Chairman called for the next order of business: (Grindstone Master Plan Amendment), Belterra Master Plan Review, and Belterra, Phases 1 and 2 Preliminary Subdivision Plats Review:

An introductory presentation was given by the agent, Dwayne Smith. He provided a summary of the master plan and preliminary plats review as presented on the meeting agenda. He stated that the property is currently zoned R-6(G); the proposed development consists of one-hundred and ninety-one single family residential lots located east of Well Road and County Road 13 and noted there is a reduction in lots which results in less impervious area to provide for the improvement of the drainage issues in this area.

The Chairman asked about staff comments. Staff advised that comments have been addressed.

The Chairman opened the floor for the public hearing for Belterra, Phase One.

Steve Lavalee, 9343 Ottawa Drive, commented about the required maintenance of the ditch adjacent to the subdivisions.

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Megan Kelly, 9079 Berga Lane, commented about her traffic concerns due to the development of subdivisions and schools, and drainage and flooding issues because the existing pond and ditch are not maintained.

Steven Matthews, 9252 Ottawa Drive, commented about his drainage concerns.

The Chairman closed the floor to the public hearing.

The Chairman opened the floor for the public hearing for Belterra, Phase Two. The floor was closed after no one came forward to speak and offered the agent the opportunity for rebuttal.

During rebuttal, Mr. Smith noted that a traffic impact study was conducted and although one was not required, a turn lane was added; a drainage analysis was conducted which included the surrounding properties to improve current conditions; and the existing ditch between Belterra and Ottawa Springs Subdivisions will be realigned and cleaned out.

Mr. Peterson asked about the removal of emergency access. Mr. Smith responded that staff requested that the emergency access was removed to add a turn lane.

Mr. Olen asked for confirmation from staff that the stormwater drainage plan meets the requirements of the Land Use Ordinance. Mr. Bobe stated that the design as presented will make a significant improvement to this area.

Mr. Purvis asked for explanation regarding the drainage easement and ditch in the Ottawa Springs Subdivision. Mr. Bobe stated that the ditch is not maintained by the city, and that both subdivisions will have rights to the ditch. The ditch will be realigned, graded and cleaned out during the construction of this development.

Mrs. Jones commented that Grindstone Master Plan was approved prior to the enactment of the zoning of the property. She noted that this master plan has fewer lots and is consistent with what was previously approved.

A motion was made by Mr. Olen and seconded by Mr. Spriggs to approve the Belterra master plan. There was no discussion on the motion. The motion carried unanimously.

A motion was made by Mr. Prescott and seconded by Mr. Jones to approve Belterra Subdivision, Phase One preliminary subdivision plat. There was no discussion on the motion. The motion carried unanimously.

A motion was made by Mr. Spriggs and seconded by Mr. Jones to approve Belterra Subdivision, Phase Two preliminary subdivision plat. There was no discussion on the motion. The motion carried unanimously.

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The Chairman called for the next order of business: The Hamlet at Rowan Oak, Phase One Preliminary Subdivision Plat Review.

An introductory presentation was given by the agent, Chloe Kelly. She provided a summary of the preliminary subdivision plat review as presented on the meeting agenda and noted that this is a part of the single-family portion of Rowan Oak PUD. The previously approved subdivision has been revised to increase the lot size and reduce the lot count.

The Chairman asked about staff comments. Staff advised that comments have been addressed.

The Chairman opened the floor for the public hearing.

Megan Kelly, 9079 Berga Lane, stated that she would like to reiterate her traffic concerns presented during the public hearing for the previous subdivisions.

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

Mrs. Kelly stated as a part of development of the Rowan Oak PUD, a traffic impact study was conducted which required the developer to install several improvements to include Milton Jones Road Extension as shown on the subdivision plat to provide an east to west connection. She noted that the traffic impact study is public record and available upon request.

Mr. Olen asked Mrs. Jones for clarification on the timing issue for approval of the subdivision. Mrs. Jones stated the public hearing for the PUD modification is January 5th; therefore, approval of the subdivision should be contingent upon the City Council's action.

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

A motion was made by Mr. Olen and seconded by Mr. Prescott to approve The Hamlet at Rowan Oak, Phase One preliminary subdivision plat contingent upon the City Council's approval of the Rowan Oak PUD Narrative Modification. There was no discussion on the motion. The motion carried unanimously.

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

Mr. Dungan stated no report.

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

The Chairman welcomed Ida Ross Hicks to the Planning Commission.

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF JANUARY 22, 2026
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

- 8. ATTORNEY'S REPORT no report
- 9. COMMISSIONER'S COMMENTS spriggs - comment
traditional / pub
- 10. DIRECTOR'S COMMENTS volarecky
planning
- 11. ADJOURNMENT feb 18th + Feb 26th -

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

Director presented the upcoming meeting dates. Site Preview is December 10th, the Regular Meeting is December 18, 2025, and Happy Thanksgiving!

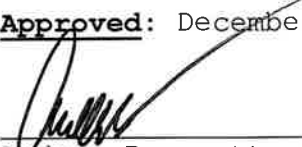
There being no further business, the meeting was adjourned at 5:57 p.m.

Respectfully submitted by:



Jan Allen, Planning Coordinator

Approved: December 18, 2025



Andrew Prescott, Chairman