

**The City of Daphne
Planning Commission Minutes
Regular Meeting of December 18, 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 5:02 p.m. The number of members present constitutes a quorum.

Call of Roll:

Members Present:

Kevin Spriggs, Secretary
Bobby Purvis
John Peterson, Vice Chairman
Ida Ross Hicks
Andrew Prescott, Chairman
Lucy Watkins
Richard Johnson
Steve Olen
Nathan Jones

Staff Present:

Jan Vallecillo, 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 November 20, 2025 regular meeting minutes presented by staff. Action tabled until the regular meeting of January 22, 2025.

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 January 22, 2025. If a public hearing is required, please hold your comments until that agenda item is heard. Otherwise, please feel free to come forward and speak during public participation.

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

New Business:

The Chairman called for the next order of business: Eastern Shore Toyota Test Track Site Plan Review.

**The City of Daphne
Planning Commission Minutes
Regular Meeting of December 18, 2025
Council Chamber, City Hall - 5:00 P.M.**

An introductory presentation was given by the agent, Amanda Thompson. She provided a summary of the site plan review as presented on the meeting agenda. She explained that the applicant is seeking site plan approval of an off-road style test track constructed for demonstration purposes.

The Chairman asked for staff comments. Mr. Bobe stated that his comments have been addressed. Mrs. Ward stated a five-year operation and maintenance manual, an enhanced landscape plan to address the perimeter and the establishment of a permanent BMP are required.

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

A motion was made by Mr. Olen and seconded by Mr. Johnson to approve the site plan for Eastern Shore Toyota Test Track Site Plan Review, contingent upon the applicant satisfying each of the items in the Environmental Programs Manager email to the applicant dated December 18, 2020. There was no discussion on the motion. The motion carried unanimously.

The Chairman called for the next order of business: Rowan Oak Parcel Division Preliminary/Final Subdivision Plat Review.

An introductory presentation was given by the agent, Chloe Kelly. She provided a summary of the preliminary/final subdivision plat review as presented on the meeting agenda and stated the purpose of the re-plat is to reconfigure the current property boundaries to match the proposed phase line boundaries.

The Chairman opened the floor for the 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.

A motion was made by Mr. Johnson and seconded by Mr. Jones to approve the preliminary/final subdivision plat for Rowan Oak Parcel Division. There was no discussion on the motion. The Motion carried unanimously.

The Chairman called for the next order of business: The Hamlet at Rowan Oak, Phase Two 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. She stated changes have been made to the lot sizes and overall lot count as a part of the PUD modification.

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

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

**The City of Daphne
Planning Commission Minutes
Regular Meeting of December 18, 2025
Council Chamber, City Hall - 5:00 P.M.**

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

A motion was made by Mr. Johnson and seconded by Mr. Peterson to approve the preliminary subdivision plat for The Hamlet at Rowan Oak, Phase Two. There was no discussion on the motion. The Motion carried unanimously.

The Chairman called for the next order of business: The Hamlet at Rowan Oak, Phase Three 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. She stated changes have been made to the lot sizes and overall lot count as a part of the PUD modification.

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

The Chairman opened the floor for the 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.

A motion was made by Mr. Peterson and seconded by Mr. Johnson to approve the preliminary subdivision plat for The Hamlet at Rowan Oak, Phase Three. There was no discussion on the motion. The Motion carried unanimously.

The Chairman called for the next order of business: Joseph A. Allegri Jr Properties II, LLC, Jerry Volovecky Sr, Louise Volovecky, And SE Family Limited Partnership Comprehensive Plan Amendment, Pre-Zoning Amendment And Annexation Petition.

An introductory presentation was given by the engineer, Mark Gonzalez. He summarized the pre-zoning request as presented on the agenda. He noted that the proposed development associated with pre-zoning to a Planned Unit Development requires an amendment to the Comprehensive Plan to change the placetype from Traditional Neighborhood to a Mixed-Use Corridor because the current classification is characterized by mixed-use and all forms of residential development with a density of eight to thirty units per acre. He provided an overview of the proposed development consisting of a retail grocery store, retail and mixed uses, and multi-story buildings that are designed to provide convenient, safe vehicle access, appealing pedestrian ways, modes of transportation for compact development patterns where the buildings are located near the sidewalks and the creative wall to enhance the pedestrian environment.

Mr. Gonzalez deferred to Charlie Trotman, the agent, to provide commentary on the proposed use of the property.

**The City of Daphne
Planning Commission Minutes
Regular Meeting of December 18, 2025
Council Chamber, City Hall - 5:00 P.M.**

Mr. Trotman stated this is a mixed-use planned development for residential, commercial and service oriented uses consisting of approximately thirty-one point seven six acres located at the intersection of Alabama Highway 181 and County Road 64. The plan provides for an upscale, village-type environment, the outparcels are offset to allow for rear parking, outparcel buildings are placed in front of the apartment complex for an appealing look and visibility, sidewalks transverse the project to allow for a walkable community, green space, greenbelt, parks, limited access to Alabama Highway 181, the addition of a right turn lane at the intersection of Alabama Highway 181 and County Road 64, a traffic signal is proposed on County Road 64 to align with Overton Subdivision, improvement of the roundabout at County Road 13, a retail grocery store with fresh produce and a pharmacy, five-acre plus detention facility to address drainage issues, comprehensive landscape plan, walkways and pedestrian crossings for walkability and connectivity, the addition of a multi-family facility set to elevate residential living standards, fountains, dog park, club style amenities, enhanced architectural designs, and seating areas.

The Chairman questioned what portion of the subject property is included in the annexation. Mr. Trotman stated the owners are only annexing the property shown, not the balance of the property.

The Chairman questioned whether the apartments could be rotated ninety degrees to face County Road 64. Mr. Trotman responded there is not enough room because of the location of the dog park.

Mr. Johnson explained there are three applications that are being discussed tonight, a modification of the Comprehensive Plan for a mixed-use development; consideration of a pre-zoning application meaning to apply zoning to this site that allows the usage and the intensity of usage that is shown in this plan, and a request to annex the property into the city. He noted that the intersection of Alabama Highway 181 and County Road 64 is not a fit for these types of uses.

Mr. Spriggs commented that the Comprehensive Plan never considered the economic consequences or modeling of any of these communities that are proposed and that is a weakness in the Comprehensive Plan. He noted that the rotation of the apartment complex would lessen the number of residents. He stated with the current design, the courtyard area and the detention pond provide for privacy. He also stated that high-density and residential development should be integrated into commercial so that residents have a walkable, self-contained community without accessing the right-of-way. He questioned whether the stormwater detention from the remainder of the Volovecky property is directed to this detention pond.

Mr. Gonzalez commented the natural basin breaks away from this area and is directed around them.

Mr. Trotman stated that the adjacent property owner has an agreement to the balance of his property to the north by a dedicated public right-of-way and to develop the property residential or commercial.

**The City of Daphne
Planning Commission Minutes
Regular Meeting of December 18, 2025
Council Chamber, City Hall - 5:00 P.M.**

Mr. Trotman stated that he could not confirm if the property would be developed because of the wetlands and acquiring a permit to fill in the grady ponds. Mr. Spriggs stated according to the new Supreme Court decision, the applicant should be able to fill in the wetlands.

Mr. Johnson commended Mr. Trotman and Mr. Gonzalez on the revisions to the overall site plan and the PUD narrative, but many of the things mentioned are not contained in the PUD document or the drawings. He stated one example is the cohesive, consistent appearance and architecture of retail grocery store and apartments and the dedication of the right-of-way.

Mr. Trotman stated the omission was an error because the applicant is committed to the project.

Mr. Johnson recommended tabling the agenda items until that information is included. Mr. Trotman stated that the applicant does not have the ability to convince the grocery anchor to commit further to a project.

Mr. Johnson commented that the applicant is asking for a Comprehensive Plan Amendment, pre-zoning that provides for the uses shown and annexation, then the Planning Commission and City Council have the right to make changes because of the interest on behalf of the development for a tax abatement to offset the extensively costly infrastructure improvements required.

Mr. Spriggs reiterated that he concurred with Mr. Johnson that the overall architectural theme and the dedicated right-of-way should be a part of the PUD documents.

Mr. Olen commented, as a member of the Planning Commission and the City Council, the recently adopted Comprehensive Plan designates this area suitable for Traditional Neighborhood Development. He stated the fact that the applicant thinks that there is something that is not economically or financially feasible is the applicant's opinion and Mr. Olen strongly disagrees with that. The Comprehensive Plan points out the type of development for this area should include a variety of residential dwellings; reserving prominent sites for community and public buildings; superior development to what would be designed under conventional zoning and subdivision regulations; and should provide public benefits that promote the best interest of the City. In fact, there are several respects in which it is decidedly less superior or desirable to the citizens, which is the City's priority.

Mr. Olen concurred with Mr. Johnson that there are number of statements made orally that are not included in the PUD documents. He stated it is critical because the PUD documents become a zoning ordinance that is legally binding.

The Chairman stated this agenda item requires two public hearings. He stated the first public hearing is for the Comprehensive Plan Amendment and opened the floor for public hearing.

**The City of Daphne
Planning Commission Minutes
Regular Meeting of December 18, 2025
Council Chamber, City Hall - 5:00 P.M.**

Jan Anderson, 25955 Capri Court, spoke in opposition, to express his concerns about traffic and preservation of quality of life.

Patty Kontos, 11020 Higbee Road, questioned whether the proposal was for Walmart and responded to the comment about fresh produce. She stated that she was the manager of Allegri Farm Market and stated there is farm to table fresh produce in this area.

Brick Mason, 25969 Capri Court, spoke in opposition, to express his concerns about traffic and asked for consideration of the residents and homeowners on County Road 64.

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

Mr. Trotman responded that the applicant would continue to work with staff to revise the PUD documents because the applicant is fully committed to this project.

Chairman requested the addition of crosswalks and sidewalks for access to the development from the residential subdivisions.

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

During discussion, Charlie Trotman, the agent, requested to table the pre-zoning request and associated applications.

A motion was made by Mr. Spriggs and seconded by Mr. Johnson to table Joseph A. Allegri Jr Properties II, LLC, Jerry Volovecky Sr, Louise Volovecky, And SE Family Limited Partnership Pre-Zoning Amendment and associated applications. There was no discussion on the motion. The Motion carried unanimously.

The Chairman called for the next order of business: Obama, LLC Zoning Amendment.

An introductory presentation was given by the agent, Chris Lieb. He summarized the rezoning request as presented on the meeting agenda and provided a proposed sketch for illustrative purposes.

Mr. Olen stated that he wanted to make it clear that the issue here is not just the request for rezoning. The issue also is that the rendering does not depict the types of uses proposed. The uses allowed by right in a B-1 zone are not ones that the residents of Olde Towne or the City of Daphne would want on Main Street next door to Whit's.

Mr. Olen stated if the property is rezoned from B-3 to B-1, some of the uses by right are a nightclub, bar, convenience store, liquor, wine and beer sales, tobacco shop, cocktail lounge, self-service laundry and/or dry-cleaning service. These and a host of others would be detrimental and harmful to the surrounding neighborhood.

**The City of Daphne
Planning Commission Minutes
Regular Meeting of December 18, 2025
Council Chamber, City Hall - 5:00 P.M.**

Mr. Spriggs stated that free enterprise figures out the best use of their property and when we arbitrarily prohibit certain types of businesses, it limits the opportunity for uses that may be beneficial in this area. He stated the zoning and some of these uses could be potentially very valuable to the residents in this area because they could walk rather than drive to the businesses.

Mr. Johnson commented that he is not opposed to a host of certain commercial activity which allows for a small restaurant, bar, cocktail lounge so that residents could enjoy a wonderful dinner, drink and ice cream. He stated frankly, the demand for the future of professional office base has a certain limited cap and demand for capacity and other commercial centers benefit from increased traffic from other commercial centers. He agreed that professional office space is not the only acceptable use for this property. He commented that a limited commercial with live above work down could be appropriate for this area, but not in a B-1 zone. He also stated that he was disappointed that the rendering did not include a residential component.

Mr. Lieb stated the reason for the request to rezone to B-1 is to allow for a restaurant on the first floor and to get through the zoning process with a permitted use. He stated that a request to rezone to B-1(a) would require Planning Commission Approval. He noted that the owner is not proposing any of the uses that Mr. Olen mentioned.

Mr. Olen stated that one hundred percent illustrates exactly what his concern is because of the property rezoned at Van Avenue and Main Street. He noted that we are supposed to represent the community and the citizens.

The Chairman opened the floor for public hearing.

Jim Myers, 897 Main Street, spoke in opposition, to express his concerns about traffic.

Kit Smith, 608 Van Avenue, spoke in opposition, to express his concerns about traffic and quality of life.

Jonathan Tillman, 808 Van Avenue, spoke in opposition, to express his concerns about parking, building height and the uses allowed in that zone.

Zachary Hatcher, 710 Delachase Court, spoke in opposition, to express his concerns about privacy, building height, and the uses allowed in that zone.

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

Mr. Lieb advised that it is notably clear that B-1 is not feasible and asked the procedure to change the requested zoning to B-1(a).

**The City of Daphne
Planning Commission Minutes
Regular Meeting of December 18, 2025
Council Chamber, City Hall - 5:00 P.M.**

Mr. Dungan stated zoning requires a public hearing and notice and the application specifically requested to rezone to B-1 to request a different zoning designation you would have to amend the application.

The Chairman stated could we handle this procedurally by the applicant requesting to withdraw the application.

Mr. Dungan stated the applicant could request to withdraw the application and no motion would be required by the Planning Commission.

Mr. Strunk stated that he could withdraw the application right now and no longer be on the agenda. Because the application is for B-1, he would have to resubmit an application for B-1(a) and this application would no longer be valid.

During discussion, Mr. Lieb, the agent, requested to withdraw the application.

The Chairman noted that the application is withdrawn.

Mr. Strunk stated that the deadline for resubmittal is Monday, December 22, 2025.

The Chairman that the street acceptance petition for Hidden Creek Circle has been tabled at the request of the applicant to the regular meeting of January 22, 2025.

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

Mr. Dungan stated no report. Merry Christmas!

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

Merry Christmas and Happy New Year!

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

Merry Christmas and thank you! This was a challenging agenda with a lot of very important projects. I appreciate all of you being gentle on me in Adrienne's absence because she is definitely the one that does the preparation for this meeting.

There being no further business, the meeting was adjourned at 7:11 p.m.

Respectfully submitted by:



Jan Allen, Planning Coordinator

Approved: January 22, 2026



Andrew Prescott, Chairman