

CITY OF DAPHNE
1705 MAIN STREET, DAPHNE, AL
CITY COUNCIL BUSINESS MEETING AGENDA
April 5, 2021
6:00 P.M.

1. CALL TO ORDER

2. ROLL CALL

INVOCATION Pastor Rife Stewart, Destiny Church
PLEDGE OF ALLEGIANCE

RECOGNITION: Captain Scott Taylor

PROCLAMATION: National Public Safety Telecommunicators Week

PUBLIC HEARING: Destiny Church International, Inc. Proposed Zoning Amendment

3. APPROVE MINUTES: March 15, 2021 regular meeting

4. REPORTS OF STANDING COMMITTEES

A. FINANCE COMMITTEE – Conaway

Review the minutes from the March 15, 2021 meeting.

Treasurer's Report February 2021:

- Unrestricted Fund Balance - \$21,104,511
- Total Cash Balance - \$29,668,352
- Sales Tax for January 2021 - \$1,841,393
- Lodging Tax for January 2021 - \$75,820

B. BUILDINGS & PROPERTY COMMITTEE – Phillips

C. PUBLIC SAFETY COMMITTEE – Hughes

Review the minutes from the March 8, 2021 meeting.

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE – Olen

E. PUBLIC WORKS COMMITTEE – Coleman

MOTION to authorize the Mayor to execute the Parking Lot License Use Agreement.

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS

A. BOARD OF ZONING ADJUSTMENTS – Adrienne Jones

B. DOWNTOWN REDEVELOPMENT AUTHORITY – Conaway

MOTION to appoint Shawn Mitchell to the Downtown Redevelopment Authority.

C. INDUSTRIAL DEVELOPMENT BOARD – Scott

D. LIBRARY BOARD –Phillips

E. PLANNING COMMISSION – Olen

Review the minutes from the February 25, 2021 meeting and the report from the March 25, 2021 meeting.

City Council Agenda – April 5, 2021

F. RECREATION BOARD – Hughes
Review the February 2021 report.

G. UTILITY BOARD – Goodlin

6. PUBLIC PARTICIPATION

7. MAYOR’S REPORT

8. CITY ATTORNEY REPORT

9. DEPARTMENT HEAD REPORTS

10. CITY CLERK’S REPORT

MOTION to approve the Run for Shep 5k on January 22, 2022 from 7:00am – 11:30am.

MOTION to approve the Buckaroo Foundation Stampede 5k and Fun Run on June 26, 2021 from 7:00am – 1:00pm with a rain day make up on July 10, 2021.

MOTION to approve the publication and set a public hearing on May 17, 2021 for Jubilee Farms PUD Standards Modification located Southeast of Austin Road and Alabama Highway 181.

11. RESOLUTIONS & ORDINANCES

A. RESOLUTIONS:

2021-09 –Vacation of Easement(s) - Wayne Champeux and Marcene Lake - between Lots 91 and 92, Lake Forest Subdivision, Unit 7

2021-10 – Resolution in Opposition of the Proposed Urban Area Designation Criteria

B. 2nd READ ORDINANCES:

C. 1ST READ ORDINANCES:

2021-13 – Appropriation: Additional Public Works Capital Equipment: Turbine Blower - \$5,950 and Trailer Mount Pressure Washer - \$19,995

2021-14 – Appropriation: Fire Station #5 Access Control Project - \$15,000

2021-15 – Appropriation: Additional Appropriation: City Hall Parking Lot Addition - \$60,000

2021-16 – Appropriation: Midyear Personnel Adjustments - \$45,529

2021-17 – Re-Zone Property Located South of and adjacent to French Settlement Subdivision; northwest of Parker Lane and County Road 13 – Destiny Church International, Inc.

12. COUNCIL COMMENTS

13. ADJOURN

As a reminder, the Daphne City Council Business Meetings and Work Sessions now begin at 6:00pm.

CITY OF
DAPHNE, ALABAMA

Proclamation

WHEREAS; Scott Taylor was hired on to the City of Daphne Police Department on January 2, 1991; and

WHEREAS; he previously began his brave service in law enforcement as a Field Training Officer in Patrol Division and served as one of the original members of the Special Response Team during his time as a Corporal in the Detective Division; and

WHEREAS; he was promoted to Sergeant in the Patrol Division, then moved to Sergeant in the Detective Division before being promoted to Lieutenant and later Captain over Field Operations; and

WHEREAS; Captain Taylor served as Administrative Captain since January 2007 then became second in Command of the Police Department in March 2007; and

WHEREAS; Taylor is a 2005 graduate of the FBI National Academy, a 2010 graduate of Leadership Baldwin County and was named Daphne Police Officer of the Year in 1997; and

WHEREAS; Taylor has been a loyal and dedicated employee of the City of Daphne for over thirty years; and

NOW,

THEREFORE; I, Robin LeJeune, as the Mayor of the City of Daphne, Alabama, together with the Daphne City Council, do hereby proclaim appreciation to Scott Taylor for his tireless efforts and over thirty years of service to the City of Daphne, and wish him success and happiness in his retirement.




Robin LeJeune, Mayor

ATTEST: 
Candace G. Antinarella, CMC, City Clerk

CITY OF DAPHNE, ALABAMA

Proclamation

WHEREAS; emergencies can occur at anytime that require police, fire or emergency medical services; and

WHEREAS; when an emergency occurs the prompt response of police officers, firefighters and paramedics is critical to the protection of life and preservation of property; and

WHEREAS; the safety of our police officers and firefighters is dependent upon the quality and accuracy of information obtained from citizens who telephone the Daphne communications center; and

WHEREAS; Public Safety Telecommunicators are the first and most critical contact our citizens have with emergency services; and

WHEREAS; Public Safety Telecommunicators are the single vital link for our police officers and firefighters by monitoring their activities by radio, providing them information and insuring their safety; and

WHEREAS; Public Safety Telecommunicators of Daphne have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients; and

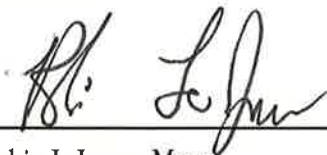
WHEREAS; each dispatcher has exhibited compassion, understanding and professionalism during the performance of their job in the past year.

NOW,
THEREFORE; I, Robin LeJeune, as the Mayor of the City of Daphne, together with the Daphne City Council, do hereby proclaim April 11 - 17, 2021 as

National Public Safety Telecommunicators Week

in the City of Daphne in honor of the men and women whose diligence and professionalism keep our city and citizens safe.





Robin LeJeune, Mayor



Candace G. Antinarella, CMC, City Clerk

To: Office of the City Clerk

MEMORANDUM

From: Adrienne D. Jones, AICP 
Director of Community Development

Subject: Destiny Church International, Inc.
Zoning Amendment

Date: January 29, 2021

PRESENT ZONING: R-2, Medium Density Single Family Residential, R-3, High Density Single Family Residential, & R-4, High Density Single Family Residential

PROPOSED REZONING: R-3, High Density Single Family Residential, & R-6 (G), Garden/Patio District

LOCATION: South of and adjacent to French Settlement Subdivision; northwest of Parker Lane and County Road 13

RECOMMENDATION: At the Thursday, January 28, 2021, regular meeting of the Daphne Planning Commission, six members were present, and the motion carried unanimously for a favorable recommendation for the above captioned zoning amendment.

Attached please find the appropriate documentation and action of the Daphne Planning Commission.

Upon receipt of said documentation, please prepare an ordinance for placement on the City Council agenda to set a public hearing.

Thank you,
ADJ/jv

Attachment(s):

1. Community Development Report and Supplemental Documents
2. Zoning Amendment Application
3. Legal Description (Exhibit A)
4. Boundary Survey (Exhibit B)
5. Adjacent property owners list

01/29/21
3:03 PM
AV



ZONING AMENDMENT
DESTINY CHURCH INTERNATIONAL, INC.
(FRENCH SETTLEMENT PHASE IV)



DESTINY CHURCH INTERNATIONAL, INC

Zoning Amendment

Zoning Classification:

R-2, Medium Density; R-3, High Density; and R-4, High Density Residential

Surrounding Zonings/Uses:

- **North**— R-2, Medium Density and R-3, High Density Residential/French Settlement Subdivision
- **South**—R-3, High Density Residential (Brookhaven Subdivision), B-3, Professional Business (undeveloped)
- **East**—B-3, Professional Business/The Brenntty Convalescent Home/Assisted Living Facility
- **West**— R-3, High Density; and R-4, High Density Residential/French Settlement

Existing Utility Service Providers: Daphne Utilities, Riviera Utilities

Affected City Service Providers: Fire Station 4 or 5, Police Beat 3

Staff Recommendation to PC: Favorable recommendation City Council

Proposed Zoning:

R-3, High Density Single Family Residential & R-6(G) Garden/Patio Home

Development Concept:

Phase 4 of French Settlement
62 Lot Single Family Subdivision

Council District:
4

Existing Conditions:
19 ac

Planning Commission Recommendation:

1/28/21 Unanimously adopted a motion to send a favorable to rezone as requested.



11315 Friendship Road - Daphne, AL 36526
904.993.4444 fax 904.993.4445



SITE DATA

Lots: $52' \times 130' - 150' = 34$

$80' \times 140' - 200' = 28$

TOTAL: 62

Streets: 1,834 LF STREET

Open: 3.21 AC (16.9%)

TOTAL AREA: +/- 19.00 AC

Proposed Zone R-3

Proposed Zone R-6(G)



FRENCH SETTLEMENT



Daphne, Alabama

68Venturës

Request:

The applicant proposes to have the property rezoned in preparation to sell the land to a local developer who proposes to build a 62-lot single family residential expansion to the well-established French Settlement Subdivision. The proposed R-3 and R-6(G) zoning as presented on the proposed modification to the French Settlement master plan would be consistent with the tenants of the Comprehensive plan and compatible with the surrounding area.

What is R-3 zoning?**R-3, High Density Single Family Residential District:**

This district is provided to afford the opportunity for moderately higher density of single family residences on smaller lots than those allowed in the R-1, Low Density Single Family Residential, and R-2, Medium Density Family Residential, districts.

What is R-6(G) zoning?

R-6(G), Garden or Patio Homes District:

This district is provided to afford the opportunity for a considerably higher density of single family residences on smaller lots than those allowed in the R-1, R-2, or R-3, Districts and for their amenities. R-6(G) shall replace the R-4 Garden Home/Patio Home designation.

What is allowed in R-3 and R-6(G) districts?

According to Article 35-3 Permitted Uses & Conditions, of the Land Use & Development Ordinance the following are permissible uses by right and/or by Planning Commission approval: **By Right:** Dwelling, one family, home occupation, library, radio and tv antenna

What is the difference in the proposed use and the adjacent property use? The subject property abuts single family residential uses on three sides (French Settlement and Brookhaven). To the south and east, land is zoned B-3, Professional Office. The southern parcel is undeveloped and the property across County Road 13 to the east is an assisted living/convalescent home. Residential use of this property would be harmonious with the adjoining land uses.

RECOMMENDATION:

Staff recommends that the Planning Commission set forth a favorable recommendation to City Council to rezone the property with a note that the reversionary clause is not applicable.

13-4 Minimum Lot Requirements

	Minimum Lot Area Square feet (sq ft)	Minimum Lot Width at Setback Line (ft)	Maximum Lot Coverage Percent (%) ^a	Maximum Density^b (units/acre)	Maximum Height^e (stories) (ft)
R-1, Low Density Single Family	20,000	100	25	2.0	2.5 stories 35 ft
R-2, Medium Density Residential	15,000	90	25	2.5	2.5 stories 35 ft
R-3, High Density Single Family	12,000	80	30	3.5	2.5 stories 35 ft
R-4, High Density Single Family-- Multi-Family--	5,000 7,500 ^c	50 85	38 35	8.0 14.0	3 stories 50 ft
R-5, Mobile Homes	See	Articles	25 & 26	for	Details
R-6(G) Garden/Patio Homes	5,000	50	38	8	2.5 stories 35 ft
R-6(D), Duplex, R-7(A), R-7(M), R-7(T) respectively: Apartments, Mid Rise Condominium, Townhouses	See	Section	13-9	for	Details
B-1, B-1(a), B-2, B-3 Business Districts and Mixed Use Districts	N/A	N/A	N/A	N/A	4 stories 50 ft
Extra-territorial Planning Jurisdiction	12,000 ^d	80	30	3.5	2.5 stories 35 ft

a. Maximum lot coverage percentages do not apply to lots of record smaller than required in the district in which they are located. b. Maximum density = total number of dwelling units per gross acre to be developed. c. Minimum lot area determined by adding 7,500 square feet for one (1) unit plus two thousand five hundred (2,500) square feet for each additional unit. d. Applies to unzoned lots contained within any subdivision located in the extraterritorial planning jurisdiction where the size of the development exceeds ten (10) acres. e. Maximum height does not apply to overlay districts (see specific applicable overlay districts. Structures up to seventy-five (75) feet may be permitted on sites zoned B-2 or R-7 upon approval by the Planning Commission. In no case shall such building exceed seventy-five feet in height

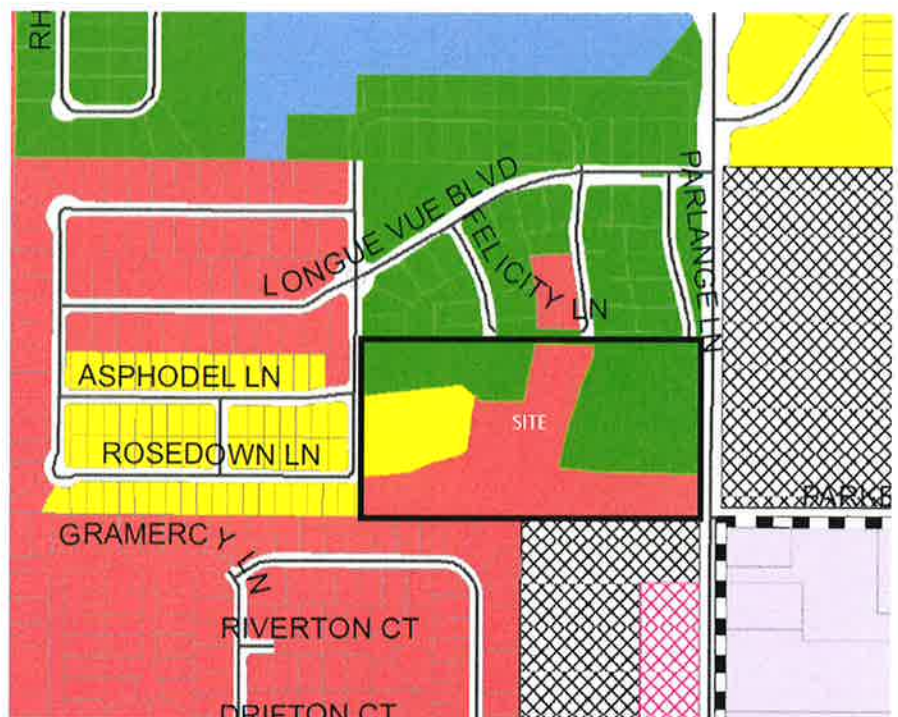
13-6 Minimum Zoning District Setback Requirements

The following setback requirements shall apply in districts as outlined below, except in a Planned Unit Development, the Olde Towne Daphne District, the Village Overlay District, the Eastern Shore Park Overlay District, or the Jubilee Retail Overlay District, unless otherwise provided in said overlay district.

SETBACKS

Zoning District	Front Yard				Rear Yard	Side Yard	Corner Lot Side Yard	
	Arterial & Collector Streets	Local Streets & Service Roads	U.S. Highway 98 ^e	U.S., State or County Roads			Arterial & Collector Streets	Local Streets & Service Roads
R-2	35	35	50	e	35	10	35	20
R-3	30	30	50	e	30	10	30	20
R-4SF&R6(G)	25	25	50	e	25	6	30	20

	R-1 LOW DENSITY SINGLE FAMILY RESIDENTIAL
	R-2 MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL
	R-3 HIGH DENSITY SINGLE FAMILY RESIDENTIAL
	R-4 HIGH DENSITY SINGLE MULTI-FAMILY RESIDENTIAL
	R-5 MOBILE HOME RESIDENTIAL
	R-6(D) DUPLEX - TWO FAMILY
	R-6(G) GARDEN OR PATIO HOME
	R-7(A) APARTMENT
	R-7(M) MID-RISE CONDOMINIUM
	R-7(T) TOWNHOUSE
	B-1 LOCAL BUSINESS
	B-1(A) LOCAL BUSINESS ALTERNATE
	B-2 GENERAL BUSINESS





APPLICATION & SUPPLEMENTAL DOCUMENTS



APPLICATION FOR REZONING OR PRE-ZONING

Office use only: Rev. 072816

Date Submitted

Dec. 28, 2020

Application Number:

Planning Commission Public

ZA- *21-01* or PZA-

Hearing Date: *Jan. 28, 2021*

Legibly print or type responses below. Indicate N/A or an "X" where item is not applicable.

SITE DATA

Site Location (Address or General Proximity to Nearest Intersection): south of/adj. to French Settlement Phases 1A & 1B	PPIN#(s): 265248
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Gross Site Area (acreage): 19.00 ac	Requested Zoning or Pre-Zoning: R-3 and R-6(G)
Current Zoning Designation(s): R-2, R-3 and R-4	Amended Request: Initials: _____ Date: _____
Current Land Use: Undeveloped	Anticipated Land Use: Residential

Provide Legal Description (if necessary attach separate page entitled "Legal Description for [Name of Applicant]":
Please see attached deed and corresponding legal description

Specify other recently approved or pending requests related to the subject property. Circle the answer(s).

Annexation Subdivision Site Plan Special Exception Variance **Specify Other** (Master Plan Revisor)

APPLICANT & AGENT INFORMATION

If an LLC or LLP or Corporation, provide name and signature of Registered Member or Agent **and provide a copy of Articles of Incorporation.*

Name of Current Owner: **Destiny Church International Inc**

Mailing Address: **28328 Co Rd 13 Daphne, AL 36526**

Phone/Fax:
E-mail:

Name of Authorized Agent:
Dewberry

Melissa Currie

Mailing Address:
25353 Friendship Rd, Daphne, AL 36526

Phone/Fax: **251-929-9809**
E-mail: **mcurrie@dewberry.com**

Name of Developer*:
68V Pay Dirt, L.L.C. - Nathan Cox

Phone/Fax: **251-625-1198**
E-mail: **wlowery@68ventures.com**

Other:

Phone/Fax:
E-mail:

I, the applicant, certify that all of the above facts are true and correct to the best of my knowledge. I hereby agree to allow the City of Daphne to post a sign on the subject property notifying the general public of this request.

Applicant's Signature: <i>[Signature]</i>	Date: <i>12/18/20</i>
Agent's Signature: <i>[Signature]</i>	Date: <i>12/23/20</i>

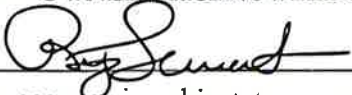


REVERSIONARY CLAUSE ACKNOWLEDGEMENT

SKIP THIS PAGE IF REQUESTING PRE-ZONING OR PLANNED UNIT DEVELOPMENT ZONING

Pursuant to Article 22-2 of the Land Use & Development Ordinance, zoning and rezoning may revert back to prior designation if certain conditions are not met. Said conditions are specified in Article 22 of the Land Use Ordinance. Legibly sign and print/type responses below. Indicate N/A or an "X" where item is not applicable. **Submit with rezoning request where applicable.**

CURRENT OWNER'S ACKNOWLEDGEMENT

I, , acknowledge that I am aware that this rezoning request is subject to a reversionary clause as noted in Article 22-2 of the Land Use & Development Ordinance. Date: 12/20/20

Rife Stewart

PRINTED NAME OF CURRENT OWNER/PETITIONER

DEVELOPER'S ACKNOWLEDGEMENT

I, , acknowledge that I am aware that this rezoning request is subject to a reversionary clause as noted in Article 22-2 of the Land Use & Development Ordinance. Date: 12/18/20



PRINTED NAME OF DEVELOPER

PROPERTY ADDRESS OR PPIN#(s): 265248

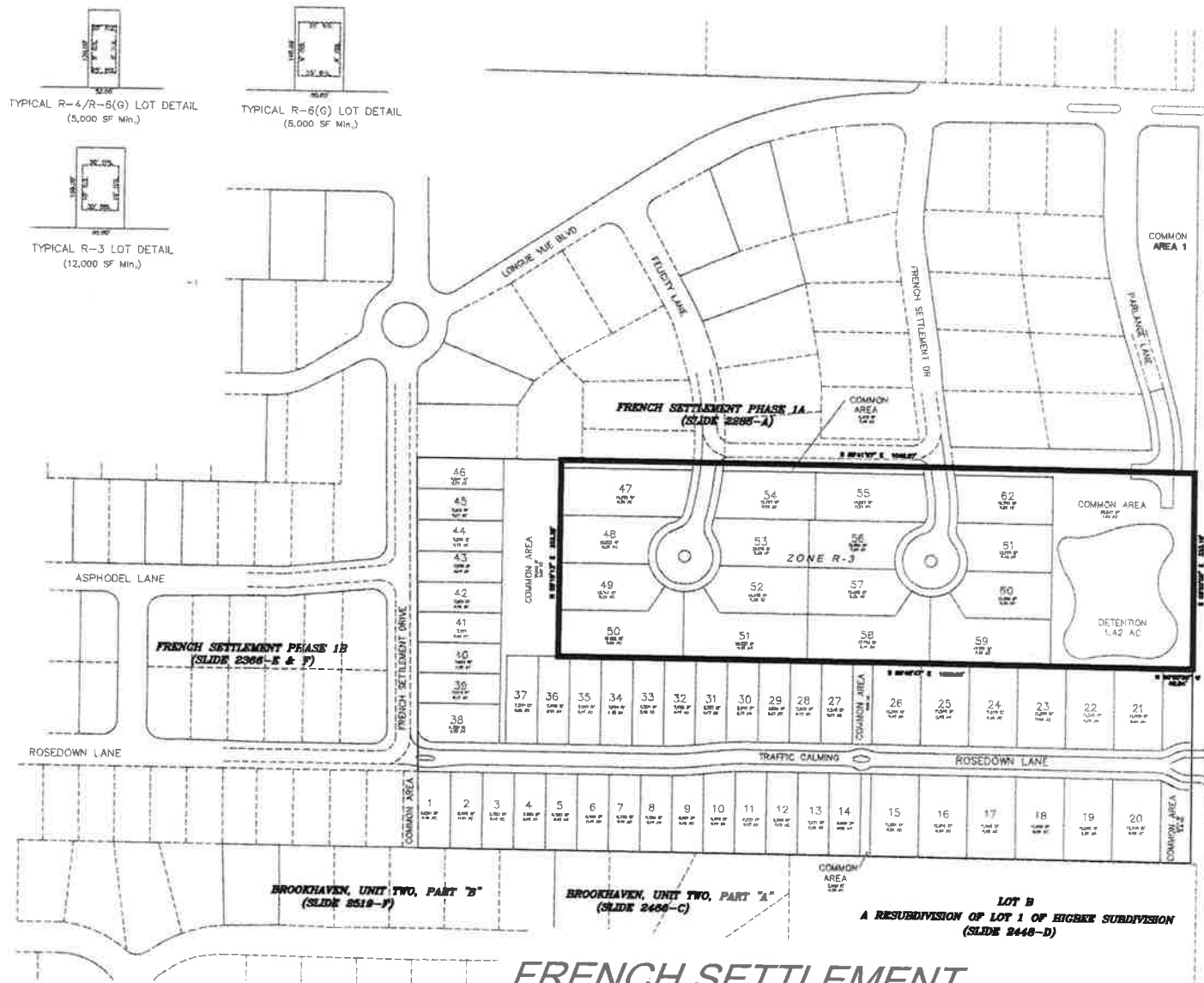
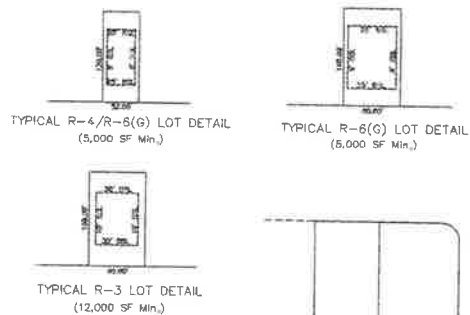
Destiny Church International, Inc.

(French Settlement Phase 4)

Legal Description for R-3

Exhibit "A"

BEGINNING AT THE SOUTHEAST CORNER OF COMMON AREA ONE OF FRENCH SETTLEMENT PHASE 1A AS RECORDED ON SLIDE 2286-A, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA RUN THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 333.19 FEET; THENCE RUN NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF 48.84 FEET; THENCE RUN NORTH 89 DEGREES 40 MINUTES 47 SECONDS WEST A DISTANCE OF 1000.00 FEET; THENCE RUN NORTH 00 DEGREES 19 MINUTES 13 SECONDS EAST A DISTANCE OF 333.35 FEET; THENCE RUN SOUTH 89 DEGREES 41 MINUTES 07 SECONDS EAST A DISTANCE OF 1046.97 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 8.02 ACRES, MORE OR LESS, AND LIES IN SECTION 9, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.



LEGAL DESCRIPTION (Zone R-3):

BEGINNING AT THE SOUTHEAST CORNER OF COMMON AREA ONE OF FRENCH SETTLEMENT PHASE 1A AS RECORDED ON SLIDE 2286-A, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA RUN THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 333.19 FEET; THENCE RUN NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF 48.84 FEET; THENCE RUN NORTH 89 DEGREES 40 MINUTES 47 SECONDS WEST A DISTANCE OF 1000.00 FEET; THENCE RUN NORTH 00 DEGREES 19 MINUTES 13 SECONDS EAST A DISTANCE OF 333.35 FEET; THENCE RUN SOUTH 89 DEGREES 41 MINUTES 07 SECONDS EAST A DISTANCE OF 1046.97 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 8.02 ACRES, MORE OR LESS, AND LIES IN SECTION 9, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.

DECEMBER 2, 200 - REBET 1 OF 1

ZONING EXHIBIT "A" - ZONE R-3

OWNER	M.A.C.	DRAWN	C.H.	CHECKED	M.A.C.
1998	J.M.S.	10/10/98	V.L.R.	10/10/98	J.M.S.
Dewberry					SCALE 1"=80'
11551 Fritchfield Road, Cumming, GA 30041					PROJ. NO. 00133475
200-300-0000 Fax 200-300-0001					FILE NO. EXHIBIT
					SHEET 1 of 1

FRENCH SETTLEMENT

REZONING EXHIBIT: R-3

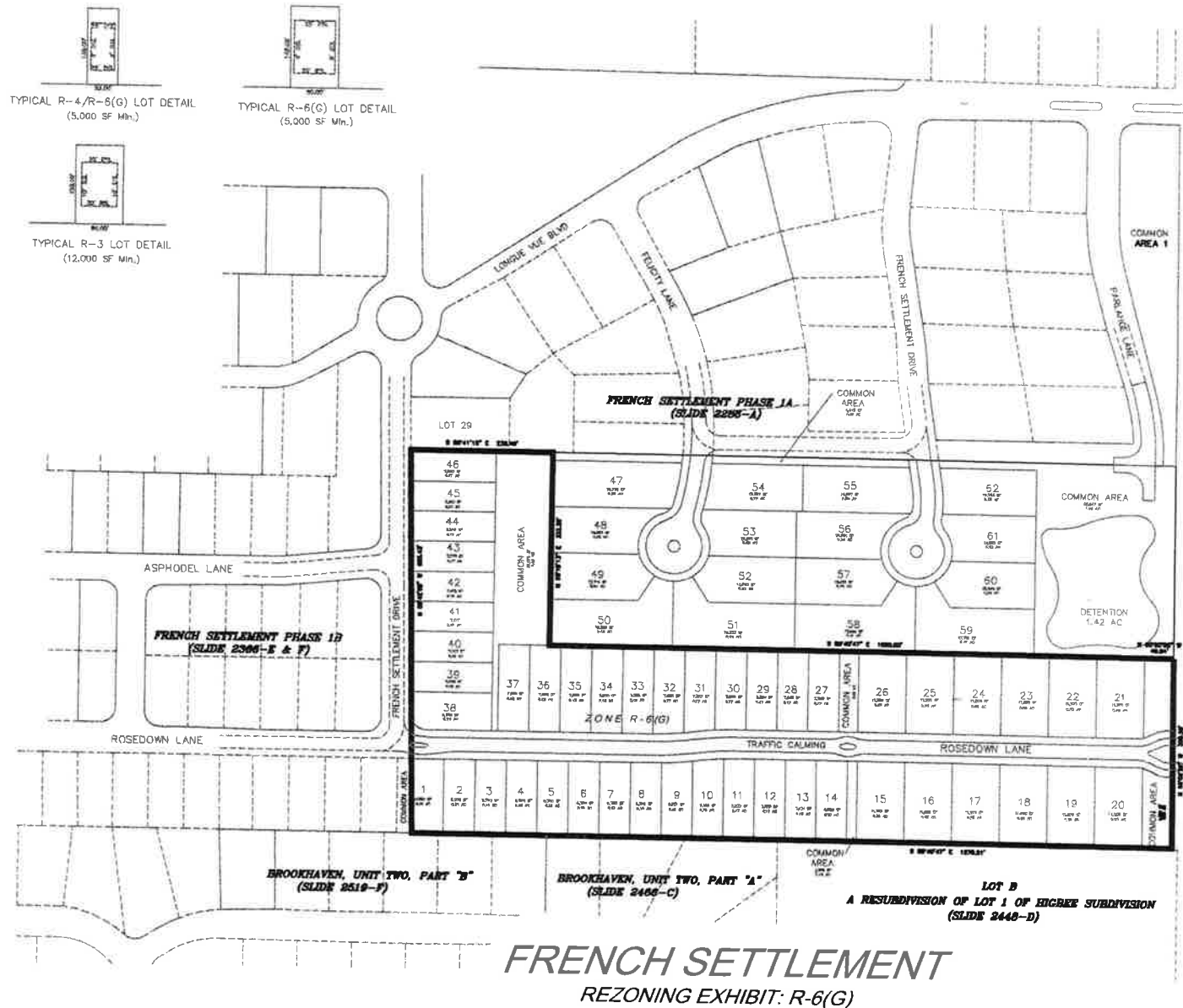
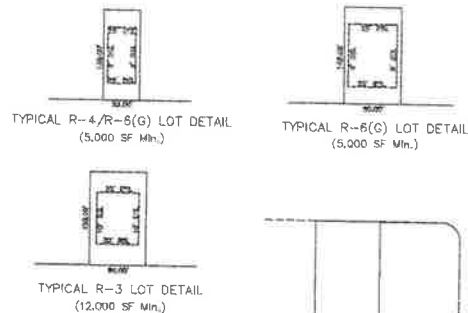
Destiny Church International, Inc.

(French Settlement Phase 4)

Legal Description for R-6 (G)

Exhibit "B"

BEGINNING AT THE SOUTHWEST CORNER OF LOT 29 OF FRENCH SETTLEMENT PHASE 1A AS RECORDED ON SLIDE 2286-A, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA RUN THENCE SOUTH 89 DEGREES 41 MINUTES 15 SECONDS EAST A DISTANCE OF 236.48 FEET; THENCE RUN SOUTH 00 DEGREES 19 MINUTES 13 SECONDS WEST A DISTANCE OF 333.35 FEET; THENCE RUN SOUTH 90 DEGREES 40 MINUTES 47 SECONDS EAST A DISTANCE OF 1000.00 FEET; THENCE RUN NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 48.84 FEET; THENCE RUN SOUTH 00 DEGREES 00 MINUTES 29 SECONDS EAST A DISTANCE OF 330.28 FEET; THENCE NORTH 89 DEGREES 40 MINUTES 47 SECONDS WEST A DISTANCE OF 1275.21 FEET; THENCE RUN NORTH 00 DEGREES 42 MINUTES 56 SECONDS WEST A DISTANCE OF 663.43 FEET TO THE POINT OF BEGINNING; TRACT CONTAINS 11.46 ACRES, MORE OR LESS, AND LIES IN SECTION 9, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.



LEGAL DESCRIPTION (Zone R-6(G)):

BEGINNING AT THE SOUTHWEST CORNER OF LOT 29 OF FRENCH SETTLEMENT PHASE 1A AS RECORDED ON SLIDE 2286-A, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA RUN THENCE SOUTH 89 DEGREES 41 MINUTES 15 SECONDS EAST A DISTANCE OF 236.48 FEET; THENCE RUN SOUTH 00 DEGREES 19 MINUTES 13 SECONDS WEST A DISTANCE OF 333.35 FEET; THENCE RUN SOUTH 90 DEGREES 40 MINUTES 47 SECONDS EAST A DISTANCE OF 1000.00 FEET; THENCE RUN NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 48.84 FEET; THENCE RUN SOUTH 00 DEGREES 00 MINUTES 29 SECONDS EAST A DISTANCE OF 330.28 FEET; THENCE NORTH 89 DEGREES 40 MINUTES 47 SECONDS WEST A DISTANCE OF 1275.21 FEET; THENCE RUN NORTH 00 DEGREES 42 MINUTES 56 SECONDS WEST A DISTANCE OF 663.43 FEET TO THE POINT OF BEGINNING; TRACT CONTAINS 11.46 ACRES, MORE OR LESS, AND LIES IN SECTION 9, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.

DECEMBER 2, 200 - SHEET 1 OF 1				
ZONING EXHIBIT "B" - ZONE R-6 (G)				
OWNER	M.A.C.	DRAWN	C.J.L.	DATE
PREP	J.M.B.	SURVEYOR	V.L.G.	PROJ. MGR.
Dowberry				SCALE 1"=80'
19100 Springdale Road - Dothan, AL 36024				PROJ. NO. 00133475
335.000.0000 Fax 335.000.0000				FILE NO. EXHIBIT
				SHEET 1 of 1

ROBIN LEJEUNE
MAYOR

ADRIENNE D. JONES, AICP,
COMMUNITY DEVELOPMENT
DIRECTOR/ZONING ADMINISTRATOR



CITY COUNCIL
TOMMIE CONAWAY
DISTRICT 1
STEVE OLEN
DISTRICT 2
JOEL COLEMAN
DISTRICT 3
DOUG GOODLIN
DISTRICT 4
RON SCOTT
DISTRICT 5
BENJAMIN HUGHES
DISTRICT 6
ANGIE PHILLIPS
DISTRICT 7

January 15, 2021

NOTICE OF PUBLIC HEARING

A petition for REZONING will be considered by the Daphne Planning Commission. Destiny Church International, Inc. proposes to rezone 19 acres +/- located south of and adjacent to French Settlement Subdivision and northwest of Parker Road and County Road 13, from R-2, Medium Density Single Family Residential, R-3, High Density Single Family Residential, and R-4, High Density Single Family Residential, to R-3, High Density Single Family Residential, and R-6(G), Garden/Patio Home.

Said petition will also be considered by the Daphne City Council pursuant to Alabama Code 11-52-85. The application is available for review at City Hall in the Department of Community Development, 1705 Main Street, during regular business hours. An informal site preview meeting will be held on Wednesday, January 20, 2021 at 8:30 a.m. in the Council Chambers of City Hall. The public is invited to attend: limited participation may be allowed by the chairman.

The public hearing will be held by the Daphne Planning Commission on Thursday, January 28, 2021 at 5:00 p.m. in the Council Chambers of City Hall. You may submit your views in writing, in person, or by representation.

Sincerely,
Adrienne D. Jones, AICP,
Director of Community Development

Destiny Church International, Inc. Zoning Amendment

P. O. Box 400 - Daphne, Alabama 36526
Phone: 251.620.1700

Adjacent Properties to Destiny Church International Inc

Parcel Number	Owner Name	Address	City	State	Zip
05-43-02-10-0-000-011.000	WELLTOWER TCG NNN LANDLORD L L C	550 HERITAGE DR STE 200	JUNIPER	FL	33458
05-43-02-09-0-000-007.011	BART COX INC	417 MILLER AVE	FAIRHOPE	AL	36532
05-43-02-09-0-000-007.029	PRESCOTT, TYLER MONTANA JUL	4420 OLD HWY 5 N	THOMASVILLE	AL	36784
05-43-02-09-0-000-007.023	EQUITY TRUST COMPANY CUSTODIAN	7197 CRAFT RD	OLIVE BRANCH	MS	38654
05-43-02-09-0-000-007.037	FRENCH SETTLEMENT PROPERTY OWNERS ASSOCI	P O BOX 3102	DAPHNE	AL	36526
05-43-02-09-0-000-008.000	FRENCH SETTLEMENT PROPERTY OWNERS ASSOCI	P O BOX 3102	DAPHNE	AL	36526
05-43-02-09-0-000-011.065	KEATON, EDUARDO LAMAR	8872 BAINBRIDGE DR	DAPHNE	AL	36526
05-43-02-09-0-000-008.124	CRUITT, BILLY GEORGE ETAL CRUITT, JOANN	27192 CREEKWOOD DR	DAPHNE	AL	36526
05-43-02-09-0-000-007.036	CLEARY, JOHN C ETAL CLEARY, STEPHANIE M	27683 FRENCH SETTLEMENT DR	DAPHNE	AL	36526
05-43-02-09-0-000-011.064	ENGLAND, NATHAN	8868 BAINBRIDGE DR	DAPHNE	AL	36526
05-43-02-09-0-000-008.093	SMITH, THOMAS ALLEN ETAL SMITH, GIDGET	8856 ASPHODEL LN	DAPHNE	AL	36526
05-43-02-09-0-000-011.001	HIGBEE, RICHARD S	11844 CANEY CREEK DR	DAPHNE	AL	36526
05-43-02-09-0-000-007.001	DESTINY CHURCH INTERNATIONAL INC FKA JUB	28328 CO RD 13	DAPHNE	AL	36526
05-43-02-10-0-000-012.001	PARKER, WILLIAM DEAN A/K/A PARKER, DEAN	27230 CO RD 13	DAPHNE	AL	36526
05-43-02-09-0-000-011.074	KIZER, RANDALL K JR ETAL KIZER, MEAGAN P	8886 BAINBRIDGE DR	DAPHNE	AL	36526
05-43-02-09-0-000-011.066	STANLEY, DAVID J	8880 BAINBRIDGE DR	DAPHNE	AL	36526
05-43-02-09-0-000-011.076	BOXX, MARKUS G ETAL BOXX, CHERYL A	8900 BAINBRIDGE DR	DAPHNE	AL	36526
05-43-02-09-0-000-011.075	VINCENT, MARGARET EILEEN	8894 BAINBRIDGE DR	DAPHNE	AL	36526
05-43-02-09-0-000-007.004	FRENCH SETTLEMENT PROPERTY OWNERS ASSOCI	P O BOX 3102	DAPHNE	AL	36526
05-43-02-09-0-000-008.126	FRENCH SETTLEMENT PROPERTY OWNERS ASSOCI	P O BOX 3102	DAPHNE	AL	36526

**March 15, 2021
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

1. CALL TO ORDER:

There being a quorum present Council President Doug Goodlin called the meeting to order at 6:30pm.

2. ROLL CALL:

COUNCIL MEMBERS PRESENT: Tommie Conaway, Benjamin Hughes, Ron Scott, Steve Olen, Doug Goodlin, Angie Phillips, and Joel Coleman

Also Present: Candace Antinarella, City Clerk; Mayor Robin LeJeune; Jay Ross, City Attorney; Chief Leann Tacon, Fire Department; Chief David Carpenter, Police Department; Vickie Hinman, Human Resources; Charlie McDavid, Recreation; Tonja Young, Library; Troy Strunk, City Development; Kelli Reid, Finance; and Jessica Linne, Assistant City Clerk.

INVOCATION/PLEDGE OF ALLEGIANCE

Invocation was given by Lamar Green, Daphne Fire Department.

PRESENTATION: Congressman Jerry Carl briefly shared with the Council what he has been working on.

RECOGNITION: Mayor LeJeune presented Tiffany Mitchem with a Certificate of Appreciation for her dedication to the community through her work with Southern Cancer Center.

3. APPROVAL OF MINUTES:

The minutes from the March 1, 2021 regular meeting were approved.

4. REPORT OF STANDING COMMITTEES:

A. FINANCE COMMITTEE

Councilwoman Conaway said the Committee met earlier that day and the report will be given at the next meeting.

B. BUILDINGS & PROPERTY COMMITTEE

Councilwoman Phillips said the Construction and Permit Reports for February 2021 were in the packet. She said the permits issued equaled 350, the new residential home permits equaled 40 and the total of these permits brought in \$97,396.64.

C. PUBLIC SAFETY COMMITTEE

Councilman Hughes said the next meeting is March 8th at 4:30pm.

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE

Councilman Olen said the next meeting is April 5th at 4:30pm.

E. PUBLIC WORKS COMMITTEE

Councilman Coleman said the minutes from the February 1st meeting are in the packet and the next meeting is April 5th at 5:30pm.

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments

Troy Strunk, City Development, said one member became certified and that there was still one opening on the Board. He said there was no meeting in April.

B. Downtown Redevelopment Authority

Councilwoman Conaway said the Downtown Redevelopment Authority will meet on Thursday at 5:30pm.

**March 15, 2021
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
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DAPHNE, AL
6:30 P.M.**

C. Industrial Development Board

Councilman Scott said the next meeting is tomorrow at 5:30pm.

**MOTION by Councilman Scott to appoint Curt Fonger to the Industrial Development Board. Seconded
by Councilman Olen.
MOTION CARRIED UNANIMOUSLY.**

D. Library Board

Councilwoman Phillips said the next meeting is April 8th at 4:30pm.

E. Planning Commission

Councilman Olen said the next meeting is March 25th at 5:00pm and the minutes from the January 28th meeting along with the report from the February 25th meeting were in the packet.

F. Recreation Board

Councilman Hughes said the Board met that past Wednesday and the next meeting is April 14th at 6:30pm.

G. Utility Board

Councilman Goodlin said the minutes from the January 27th meeting were in the packet and the next meeting is March 31st at 5:00pm.

6. MAYOR'S REPORT:

Mayor LeJeune thanked Tiffany Mitchem for coming that evening and for the work she did.

He invited the Council to the US Honor Guard Open House and Birthday Party on Wednesday at 2:00pm.

7. CITY ATTORNEY REPORT:

Jay Ross said there was no report, but he asked the Council to consider going into Executive Session at the April 5th Council meeting to discuss the buying/selling of real property.

8. DEPARTMENT HEAD COMMENTS:

Chief Carpenter, Police, reminded everyone that Captain Taylor retires at the end of the month and he will be recognized him at the April 5th Council meeting. He said they have hired several positions.

Chief Tacon, Fire, thanked Lamar Green for providing the invocation and congratulated Ms. Mitchem for being recognized. She shared that as of 8:00am, MEDSTAR placed a dedicated unit in Daphne.

Charlie McDavid, Recreation, reminded everyone that the Easter Egg Hunt is March 27th from 9:00am-12:00pm. He said they have an upcoming baseball tournament and spring sports have started.

Troy Strunk, City Development, shared there were eight items on the upcoming Planning Commission agenda.

Kelli Reid, Finance, stated the Comprehensive Annual Report will be on the website soon.

9. CITY CLERK'S REPORT:

City Clerk reminded the Council and citizens that beginning in April the Council Business Meetings as well as the Council Work Sessions will begin at 6:00pm and the Committee meetings before will remain the same start time.

**March 15, 2021
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

**MOTION by Councilman Hughes to approve the 050 – Retail Beer (Off Premises Only) and 070 – Retail Table Wine (Off Premises Only) to MSM Enterprise LLC dba Daphne Express located at 1715 Highway 98, Daphne, Alabama. Seconded by Councilman Coleman.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Coleman to approve the Cooperstown Fundraising donut sale on April 17, 2021 from 7:00am – 11:00am located at the Windsor entrance of Lake Forest at Windsor and Ridgewood only. Seconded by Councilman Hughes.
MOTION CARRIED UNANIMOUSLY.**

10. PUBLIC PARTICIPATION:

Public Participation opened at 6:58pm.

Rod Drummond, Ridgewood Drive, inquired how the students will sell donuts at the intersection of Windsor and Ridgewood.

City Clerk explained that the group had to be away from Main Street at the approved intersection to be permitted.

Public Participation closed at 7:00pm.

11. RESOLUTIONS & ORDINANCES:

A. RESOLUTIONS:

2021 – 07 – Declare Property Surplus and Authorize the Mayor to Dispose of Such Property- Terrain Mowers

2021 – 08 – Declare Property Surplus and Authorize the Mayor to Dispose of Such Property – 2005 Ford Crown Vic

**MOTION by Councilwoman Conaway to waive the reading of Resolutions 2021-07 and 2021-08.
Seconded by Councilwoman Phillips.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilwoman Phillips to adopt Resolution 2021-07. Seconded by Councilman Olen.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilwoman Conaway to adopt Resolution 2021-08. Seconded by Councilman Olen.
MOTION CARRIED UNANIMOUSLY.**

ORDINANCES:

B. 2nd READ ORDINANCES:

2021 – 11 – Appropriation: Pipe Crawler Camera - \$54,000

2021 – 12 – Appropriation: Daphne High School Turf Field - \$575,000

March 15, 2021
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MOTION by Councilman Conaway to waive the reading of Ordinance 2021-11. Seconded by Councilman Coleman.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to adopt Ordinance 2021-11. Seconded by Councilman Coleman.
MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to waive the reading of Ordinance 2021-12. Seconded by Councilwoman Phillips.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to adopt Ordinance 2021-12. Seconded by Councilman Coleman.

MOTION by Councilman Olen to amend Ordinance 2021-12 to add “with the Baldwin County Board of Education and Daphne High School” to the last paragraph. The amendment also to the Memorandum of Understanding to add a paragraph to read “Whereas, the Board and DHS, expressly agree that the DHS football stadium and field shall also be used for community events, exercise, leisure sports and activities.

MOTION by Councilwoman Phillips to amend the fifth paragraph in the Memorandum of Understanding to read “WHEREAS, the City Council believes the appropriation of said funds will benefit and promote the health, safety, and welfare of the citizens of the City by improving the facilities at DHS and all parties agree that said facilities will be accessible to the community and citizens of the City of Daphne”. Mayor LeJeune shared with the Council the reasons for getting a new turf field.

Amendments Seconded by Councilman Scott.

AMENDMENT MOTION CARRIED UNANIMOUSLY.

Councilman Olen said the City of Daphne has supported and will continue to support all the schools in Daphne, but he believes this is not the right use of City funds. Mayor LeJeune said the City expects \$300,000 savings throughout the life of the field.

MOTION TO ADOPT ORDINANCE 2021-12 AS AMENDED CARRIED.

Aye – Conaway, Coleman, Goodlin, Scott, Hughes, Phillips

Nay - Olen

C. 1ST READ ORDINANCES:

12. COUNCIL COMMENTS:

Councilman Scott thanked Lamar Green for providing the invocation.

Councilman Coleman wished Curt Fonger a happy birthday and congratulated him for his appointment to the IDB.

Councilwoman Conaway said the Education Advisory Committee will meet March 22nd at 11:00am.

Councilman Hughes congratulated Mr. Fonger on his appointment to the IDB and thanked Chief Tacon for her help with MEDSTAR.

**March 15, 2021
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

Councilman Olen thanked Chief Tacon for her work on MEDSTAR. He commended the work of the Mayor and City Hall employees.

Mayor LeJeune thanked Councilman Olen. He commended the City staff.

Councilman Goodlin thanked Mr. Comer and Mr. King from Daphne High School for attending the meeting.

13. ADJOURN:

THERE BEING NO FURTHER BUSINESS TO DISCUSS, COUNCIL ADJOURNED AT 7:19 PM.

Respectfully submitted by,

Certification of Presiding Officer,

Candace G. Antinarella, CMC, City Clerk

Doug Goodlin, Council President

CITY OF DAPHNE
FINANCE COMMITTEE MINUTES
MARCH 15, 2021
4:30 P.M.

I. CALL TO ORDER/ROLL CALL

The meeting was called to order at 4:30 p.m.

Present were:

Chairperson Mrs. Tommie Conaway
Councilman Mr. Steve Olen
Councilman Mr. Joel Coleman
Councilman Mr. Doug Goodlin

Councilman Mr. Ron Scott
Councilwoman Mrs. Angie Phillips

Also Present: Mayor Robin LeJeune, Finance Director Mrs. Kelli Reid, Senior Accountant Mrs. Suzânn Henson, Human Resource Director Mrs. Vickie Hinman, Revenue Officer Mrs. Courtney Coleman, City Clerk Mrs. Candace Antinarella, Executive Director of City Development Troy Strunk, Director of Events and Marketing Mrs. Ange Baggett, Public Works Deputy Director Mr. William Eringman, and City Attorney Mr. Jay Ross.

II. PUBLIC PARTICIPATION

A. Presentation of the FY2020 Comprehensive Annual Financial Report, Avizo Group –LeeAnn May, Carly Corte, Dennis Sherrin, Earl Blackmon

Mrs. LeeAnn May reviewed the 2020 audit and reviewed auditor's opinion and recommended reviewing the Management Discussion and Analysis section. Mrs. May stated the City had a single audit this year because expenditures exceeded \$750,000 so there would be two opinion letters. Mrs. May stated they would be issuing the highest opinion on the audit, an unmodified opinion. Mrs. May stated there were no noted deficiencies found during the audit and no findings were found in the review of internal controls. Discussion continued on the audit. Mrs. Reid reviewed additional information concerning the audit report and discussed that GFOA is recommending to discontinue using the acronym CAFR.

III. APPROVE MINUTES FOR THE PREVIOUS MEETING

The previous minutes were approved.

IV. HUMAN RESOURCES BUSINESS

A. Update on Human Resources Department Activity

Mrs. Vickie Hinman reviewed the Human Resource Report:

- Posted positions – 5
- Reviewing/Testing/Interviewing/Background check – 10
- Promotion/Internal Transfer - 3
- New Hires – 14
- Open positions - 0

Mrs. Hinman reviewed the monthly Safety Committee meeting topics discussed and other Human Resource projects and events.

- COVID-19 Leave Tracking
- Employment Paperwork for 9 FT Firefighters/Medics
- New Performance Evaluation form sent to all departments
- Job Descriptions: City Engineer and Systems Administrator
- Handbook Policies – Emergency Pay and Shift Swap
- Safety Awards ordered
- New Employee Orientation every Friday in March
- Baldwin County Career and Job Fair – March 2, 2021

Mrs. Hinman noted that three inspector positions were open in Building Inspection department and two positions have been filled. Mrs. Hinman also discussed the promotions and transfers in the Police Department.

V. BUSINESS LICENSE REPORT

A. Report: New Business Licenses – February, 2021

Mrs. Coleman reviewed the following reports and information:

- Code enforcement issued 6 warnings resulting in businesses becoming compliant and \$1,015 in revenue.
- New Businesses with a physical location in Daphne - 14
- Simplified Sellers Use Tax collections - \$120,147 and YTD collections - \$474,028

BUSINESS LICENSE COUNT through 02/28/2021	
NEW Licenses	93
RENEWAL Licenses (2021)	1595
Total Issued THIS MONTH	1688
Total Issued THIS MONTH - PREVIOUS YEAR	640
Net Gain/-Loss Current VS Previous Yr MONTH	1048
Total Issued YTD 2021	3,336
Total Issued YTD - PREVIOUS YEAR	3,008
Net Gain/-Loss Current VS Previous Yr YTD	328

Business License Fee Historical Comparison 2020 / 2021				
	FY 20	FY 21	+/- Previous Year	<u>Budget 2021</u> <u>\$2,390,000</u>
October	\$15,924.77	\$13,897.75	(\$2,027.02)	(\$2,376,102.25)
November	\$3,754.50	\$8,573.66	\$4,819.16	(\$2,367,528.59)
December	\$80,771.34	\$38,677.07	(\$42,094.27)	(\$2,328,851.52)
January	\$1,641,711.72	\$1,084,222.56	(\$557,489.16)	(\$1,244,628.96)
February	\$210,511.03	\$1,174,301.94	\$963,790.91	(\$70,327.02)
Year to Date	\$1,952,673.36	\$2,319,672.98	\$366,999.62	(\$70,327.02)
All amounts include penalty and interest.				

Mrs. Coleman gave a breakdown of what the decrease was for the total business license issued for calendar year 2019 versus 2020: 46% were contractors, 25% were insurance companies and 13% were home based business. Mr. Scott discussed refunds/rebates for businesses changing ownership. Discussion continued on updating the business license ordinance to address issues such as these refunds/rebates.

VI. SALES & LODGING TAX REPORT

A. Sales and Use Taxes: January, 2021

Mrs. Henson reviewed the Sales & Use Tax Reports: \$1,841,393 was collected for January, 2021 which was up \$407,623 from January 2020's collections:

- YTD Variance over Budget - \$1,321,608

B. Lodging Tax Collections, January, 2021

Mrs. Henson reviewed the Lodging Tax Collections Report and noted the collections for January, 2021 were \$75,820 which is down (\$ 8,555) from January 2020's collections.

- YTD Variance over Budget - \$ 69,905

C. Lodging Tax Fund : Statement of Revenues over Expenditures, February, 2021

Mrs. Henson reviewed the Lodging Tax Statement of Revenues over Expenditures report for February, 2021.

- Unreserved balance for Bayfront related purchases - \$1,525,084
- Recreation for related purchases - \$ 686,360

Mrs. Reid discussed the \$4.9 stimulus monies available to the City of Daphne. Discussion continued that the City would be eligible for Lodging Tax revenue losses. Mrs. Reid noted a separate fund would be set up to track the funds. Mrs. Reid also noted that the City would have until 2024 to expend the funds.

VII. FINANCIAL SCHEDULES & REPORTS

A. Financial Reports

1. Treasurer's Report: February, 2021

Mrs. Reid reviewed the Treasurer's Report:

TREASURER'S REPORT					
As of February 28, 2021					
Account Type/Title	2/28/2021	1/31/2021	(Decrease) from last Month	2/29/2020	(Decrease) from Last Year
GENERAL FUND & ENTERPRISE FUNDS	\$ 15,162,121	\$ 13,727,463	\$ 1,434,657	\$ 13,468,495	\$ 1,693,626
CERTIFICATE OF DEPOSIT	-	-	-	505,908	\$ (505,908)
INVESTMENT FUND	5,845,100	5,896,170	(51,070)	5,733,595	\$ 111,505
CREDIT CARD ACCOUNT	97,291	116,826	(19,535)	15,046	\$ 82,245
Total Unrestricted Cash Balance	21,104,511	19,740,459	1,364,052	19,723,044	1,381,467
SPECIAL REVENUE FUNDS					
4 CENT GAS TAX	210,704	206,254	4,451	154,862	55,842
7 CENT GAS TAX	201,081	195,423	5,659	134,011	67,070
10 CENT GAS TAX	161,722	148,792	12,930	38,859	122,863
TREE & FLOWER	23,926	23,926	-	23,926	-
FEDERAL DRUG FORFEITURES	187,921	207,198	(19,277)	223,800	(35,879)
LOCAL DRUG FORFEITURES	58,304	55,864	2,440	55,284	3,020
LIBRARY	52,213	54,336	(2,122)	41,508	10,705
COURT TRAINING & EQUIPMENT	41,337	41,089	248	38,237	3,100
COURT CORRECTION	383,959	389,334	(5,376)	426,133	(42,174)
LODGING TAX	2,108,649	2,103,519	5,130	2,275,561	(166,912)
AGENCY FUNDS					
MUNICIPAL COURT	159	474	(315)	887	(728)
SELF INSURANCE	223,452	222,803	648	181,425	42,027
FLEX SPENDING	9,514	23,257	(13,743)	(15,479)	24,993
OPEB TRUST INVESTMENT FUND	795,350	797,110	(1,759)	500,000	295,350
	4,480,746	4,469,378	11,368	4,079,014	401,732
CAPITAL PROJECT FUNDS					
CAPITAL RESERVE	3,525,083	3,791,082	(265,999)	2,706,953	818,130
2019 CAPITAL IMPROVEMENTS	-	-	-	920,786	(920,786)
	3,525,083	3,791,082	(265,999)	3,627,739	(102,656)
DEBT SERVICE FUNDS					
DEBT SERVICE	558,011	1,475,385	(917,374)	2,013,698	(1,455,687)
Total Restricted Cash Balance	8,563,841	9,735,845	(1,172,004)	9,720,451	(1,156,610)
Total City Cash Balance	\$ 29,668,352	\$ 29,476,304	\$ 192,048	\$ 29,443,495	\$ 224,857
Encumbrance Total as of			2/28/2021	\$ 855,228.48	

The Treasurer's Report as of FEBRUARY, 2021 Total Unrestricted Cash Balance - \$21,104,511 and Total City Cash Balance - \$29,668,352 was presented to be filed for audit.

2. Encumbrance Report

- Encumbrance balance is \$855,228 as of February, 2021.

Mrs. Reid reviewed the Encumbrance Report and projects with activity including the scenic overlook gates project.

3. Outstanding Appropriations

Mrs. Reid noted there is progress on several projects.

4. Financial Overview: Debt Summaries & Monthly Financial Statements, January, 2021

Mrs. Reid reviewed the following Financial Statements:

- Debt Summary Schedules (General & Enterprise Funds), February, 2021
 - Jubilee Square: Debt payments are currently fully paid through December 2020. The loan matured 1/1/2021 and has been extended for up to five years per the agreement. Only the remaining principle balance remains.

Monthly Financial Statements – January 2021 Financial Highlights

General Fund:

- | | <u>FY 2021</u> | <u>FY 2020</u> | <u>Change</u> |
|--|-----------------------|-----------------------|----------------------|
| • YTD Budgetary Net Income: | \$4,821,698 | \$4,440,602 | \$381,096 |
| • Total sales tax collected year to date is approximately \$1.3 million over budgeted income and prior year to date income | | | |
| • Hurricane Sally expenditures YTD are \$4.5 million with the majority of the expenditures relating to debris removal. FEMA will reimburse 75% and the state 12.5% | | | |
| • The annual workers compensation bill in the amount of \$269,879 | | | |
| • Unassigned Fund Balance: \$22,815,679 | | | |
| • Outstanding Encumbrances: \$876,467 | | | |

Debt Service Fund/Outstanding Debt:

- Outstanding Warrant Balance as of January 31, 2021: \$31,870,348
- The note payable for MUSCO lighting was paid off early in January with an extra \$410,000 principal payment
- Outstanding Capital Lease Balance as of January 31, 2021:
 - General Fund: \$931,105
 - Enterprise Fund: \$908,956

Capital Project Funds (Capital Reserve):

- No significant activity

Special Revenue Funds (11 separate funds):

- Lodging Tax Fund –
 - Bayfront Unreserved Fund Balance: \$1,514,947
 - Recreation Unreserved Fund Balance: \$682,863
 - Total lodging tax collected was \$68,905 over budgeted income and prior year to date income.

Enterprise Funds (Solid Waste and Civic Center):

- Year to date transfers for each of the enterprise funds were as follows:

	<u>FY 2021</u>	<u>FY 2020</u>	<u>Change</u>
Solid Waste Fund	\$ -0-	\$ 24,643	\$ (24,643)
Civic Center Fund	\$ 3,121	\$ 111,751	\$ (108,630)

5. Unfunded Future Projects Expenditure Summary

Mrs. Reid reviewed the Unfunded Future Projects Expenditure Summary and noted she had added a line item for the Animal Shelter and periodic large expenditure items like the firefighter turn out gear - \$200,000.

6. Summary of Budgetary Amendments

Mrs. Reid reviewed the General Fund budgetary amendments made to the FY2021 Budget.

- Total Appropriations Year to Date – \$673,678
- Adjusted Expenses over Revenue – (\$645,400)

Mrs. Reid noted there are a couple large amendments on the agenda for the Council Meeting following the Finance Committee meeting: DHS turf field-\$575,000 and Pipe Crawler Camera - \$54,000 and a couple new appropriation requests to be discussed later in this meeting.

B. Bills Paid Reports – February, 2021

The Bills Paid Report was previously presented electronically.

VIII. APPROPRIATION REQUESTS: (Ordinance)

A. Additional Public Works Capital Equipment: Turbine Blower - \$5,950 & Trailer Mount Pressure Washer - \$19,995

Mrs. Reid reviewed the equipment needed and the appropriation requests for the turbine blower and the trailer mount pressure washer.

MOTION BY Mr. Scott to recommend to Council to adopt the Ordinance amending the budget to appropriate monies out of the General Fund for the following equipment: Turbine Blower - \$5,950 & Trailer Mount Pressure Washer - \$19,995. Seconded by Mr. Goodlin.
MOTION CARRIED UNANIMOUSLY

B. Fire Station #5 Access Control Project -\$15,000

Mrs. Reid reviewed the request for an appropriation (\$15,000) for the access control system for Fire Station #5 and noted that there were some contingency monies included to cover any unexpected costs for the project.

MOTION BY Mrs. Phillips to recommend to Council to adopt an ordinance appropriating \$15,000 out of the General Fund for the Fire Station #5 Access Control Project. Seconded by Mr. Goodlin.
MOTION CARRIED UNANIMOUSLY

C. Additional Appropriation: City Hall Parking Lot Addition - \$60,000

Mrs. Reid noted that there were four change orders that had been presented for the City Hall parking lot addition project. Mr. Strunk reviewed the project and discussed connecting Guido's parking lot to the front City Hall parking lot and the new additional parking lot. Mr. Olen expressed concerns on paying to pave a portion of Guido's parking lot. Discussion continued on if Guido's would be resurfacing the front portion of their parking lot. Mr. Strunk noted that Guido's will lose some of their parking spaces by allowing these connections. Mr. Strunk and Mayor LeJeune discussed that connecting these parking lots would help with traffic flow on Main Street and would allow delivery trucks to move out of the middle of the road for their deliveries. Mr. Scott noted that Downtown Redevelopment Authority had assisted businesses located in the downtown area with improving their parking lots and maybe they would consider assisting again. Discussion continued on bringing this request up at the DRA meeting. Mr. Strunk showed a drawing showing where the parking lots would connect. Mr. Strunk also noted that there will be four parking spaces that will have access to charge an electric vehicle and there will be a fee the driver has to pay for charging. Mr. Strunk noted that Riviera is giving a \$5,000 credit to the City for installing the lights by allowing the electric charging stations.

MOTION BY Mr. Scott to recommend to Council to adopt an ordinance appropriating \$60,000 out of the General Fund for the additional appropriations for the City Hall Parking Lot addition to include lighting and access points into the front City Hall parking lot and access from City Hall's front parking lot into the Guido's parking lot. Seconded by Mrs. Phillips.
MOTION CARRIED UNANIMOUSLY

D. Midyear Personnel Adjustments - \$45,529

Mrs. Reid reviewed the appropriation of \$45,529 for the reclassification of the current Information Technology Technician to the I.T. Systems Administrator (\$2,667) and the new City Engineer (\$42,862) position for partial year. Mrs. Hinman further discussed each position. Discussion continued that the Public Works Director position was adjusted to split the engineering duties to a new position. Mayor LeJeune discussed the Facilities Director was removed from the budget and the Public Works department is so large more of a manager position is needed. Mrs. Phillips asked what the pay would be for the City engineer. Mrs. Hinman stated the position is budgeted for up to \$98,000/year.

MOTION BY Mr. Goodlin to recommend to Council to adopt an ordinance appropriating \$45,529 out of the General Fund for the reclassification of the current Information Technology Technician to the I.T. Systems Administrator (\$2,667) and the new City Engineer (\$42,862) position expenditure cost for the remainder of FY2021. Seconded by Mr. Scott.
MOTION CARRIED UNANIMOUSLY

IX. NEW BUSINESS

A. Medstar stationed at Fire Station #2

Chief Tacon gave a report on one Medstar ambulance now being stationed at Fire Station #2 where they will be dispatched from when responding to calls. Chief Tacon noted Medstar will be proposing another ambulance being staged at second Fire Station in Daphne to be dispatched from. Chief Tacon stated that reports showed Medstar's response time to calls had improved. Discussion continued on the benefit to the citizens of Daphne with this new arrangement.

X. OLD BUSINESS

There was no old business discussed.

XI. ADJOURN The meeting adjourned at 6.02p.m.

March 08, 2021
PUBLIC SAFETY MEETING MINUTES
1705 MAIN STREET
DAPHNE, AL
4:30 P.M.

1. CALL TO ORDER:

There being a quorum present Councilman Benjamin Hughes called the meeting to order at 4:30pm.

2. ROLL CALL:

COUNCIL MEMBERS PRESENT: Tommie Conaway, Steve Olen, Ron Scott, Benjamin Hughes, Angie Phillips, Mayor LeJeune, Doug Goodlin, Joel Coleman

ABSENT:

Also Present: Candace Antinarella, City Clerk; Patrick Dungan, City Attorney; Troy Strunk, City Development; Lt. Staska Fire Department, Captain Taylor, Police Department; and Recording Secretary, Christina Brazell.

3. PUBLIC PARTICIPATION: None

4. APPROVAL OF MINUTES FROM PREVIOUS MEETING

Minutes from February 8, 2021 Public Safety meeting were approved as presented.

5. POLICE DEPARTMENT:

Old Business:

Hughes: Councilman Scott asked questions regarding the next few years and retirements, needing status of leadership ranks. Lt. Gulsby provided this information via packet. Also advised that the written test for new patrol officers was next week. Looking to hire 3 Patrol Officers.

The shooting at Ashley Gates was an isolated domestic incident. No injuries other than the suspect.

New Business: None

6. FIRE DEPARTMENT:

Old Business:

Chief Tacon provided call statistics for January 2021. 11 times in January our medics did ride in transport units. Station 5 has been turned over to the Fire Department. Lockers and other furniture are being assembled. Antique truck was there this date. Employees are being hired over the next month. They will start getting fitted for gear this week. The manufacturer has provided a date of June for the new truck. In the meantime, the new employees will fill in spots at the current stations, which will cut out overtime. Once the station goes online, and the truck is here, they will move over to the new station.

Other big topic is the turnout gear/leasing issue. Kelli is here to describe the numbers on the finance side.

Chief Adams: Regarding the pandemic, the turnout gear getting here is delayed, (60 days). Vendor is Navco. The delays are due to the supply chain.

March 08, 2021
PUBLIC SAFETY MEETING MINUTES
1705 MAIN STREET
DAPHNE, AL
4:30 P.M.

Next year the gear we currently have will expire. If we purchase a maintenance plan with the purchase of the new gear, they manufacturer will warranty the gear up to 7 years. This includes the annual cleanings.

Want to purchase 2 sets for each firefighter, (Alternating every 6 years) Total cost for the turnout for program is about 479,000.00 for the 7 year plan. This price includes the maintenance plan.

It was discussed to get a lease over the 7 years.

Kelli Reid spoke with council on the different options of paying for this purchase (Gear & Maintenance Plan).

Adams: Shelf life of the current gear is 10 years. Only about 70- percent of the gear makes it to shelf life.

Adams: The maintenance plan is discounted if paid for upfront.

Chief Tacon: goal of new employees will be to still use rentals to save money until you know if that person is going to work out.

Chief Tacon: Went to Loma Alta Tower to do a walk through. Updated plans on building, as well as spoke to individuals that reside there. Will be speaking to management soon regarding the stairwell concerns, as well as maybe having a class with the residence to help them feel at ease regarding getting out in a fire.

New Business:

7. OTHER BUSINESS:

Troy: Update on the Christ for King drop off on 6th street. We were approached regarding re-opening this discussion and implementing it in April, 5 weeks from now. All details have not been worked out yet, but the plan is current and moving forward. This will shut down 6th street, April 12- May 28th, 2021. This would just be for morning drop off. In the fall, they will do both. This is just to get the parents ready, warmed up for the change in the fall. We will be asking for plans and maps, will forward this information as it becomes available. We have to get notifications out, get marketing involved.

Troy: Agreement was made, no sidewalk was needed. It was determined later that if it was needed, Christ the King would carry the expense.

This will be closing the main street drop off and helping with the traffic. Other than a few Police presence needed, nothing else would be required of the city.

The city did agree to provide some signage. Updates will be provided.

05:04 p.m. **ADJOURNMENT**

STATE OF ALABAMA
COUNTY OF BALDWIN

PARKING LOT USE LICENSE AGREEMENT

This Parking Lot Use License Agreement (this "Agreement") is made this 26th day of March, 2021 (the "Effective Date"), by and between the City of Daphne, an Alabama municipal corporation (the "City") and Kristopher Conlon, an individual doing business as "Guido's Restaurant" (hereinafter "Conlon").

WHEREAS, the City is the owner of certain real property known as Daphne City Hall and located at 1705 Main Street in Daphne, Alabama; and

WHEREAS, Conlon is the owner of certain real property known as Guido's Restaurant and located adjacent to the north of Daphne City Hall at 1709 Main Street in Daphne, Alabama, as more particularly described on Exhibit A hereto (hereinafter the "Guido's Property"); and

WHEREAS, the City is in the process of constructing certain parking lot improvements at Daphne City Hall which shall serve as public parking; and

WHEREAS, the City desires to connect its public parking lot to the adjacent private parking lot situated on the Guido's Property; and

WHEREAS, Conlon desires to have the Guido's Property parking lot connected to the City's public parking lot; and

WHEREAS, the parties desire that visitors to their respective properties be allowed to park in either party's parking lot without restriction, and that all visitors to one party's property be permitted to utilize the other party's property as a means to access said visitors' intended parking location; and

WHEREAS, the City has determined that the proposed use of the Daphne City Hall parking lot by visitors to the Guido's Property will not interfere with the City's municipal purpose, and that the open flow of vehicular and pedestrian traffic between the two parking lots will serve a public purpose; and

WHEREAS, Conlon has determined that the additional public parking available to his restaurant's visitors will benefit his business and other surrounding businesses in the Olde Towne Daphne area, and is willing to allow the general public to access and exit the City's public parking lot by utilizing his private parking lot on the Guido's Property.

NOW, THEREFORE, upon and in consideration of the respective promises and covenants contained herein and for other good and valuable consideration, the receipt, adequacy, and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

AGREEMENT

1. **Granting of License.** Conlon hereby authorizes the City to connect the public parking lot located at Daphne City Hall to the private parking lot located on the Guido's Property, and Conlon represents and warrants that he will not in any way restrict vehicular or pedestrian traffic from utilizing Guido's private parking lot to access or exit the City's public parking lot. Further, Conlon shall not limit or otherwise restrict the use of parking spaces located in Guido's private parking lot to Conlon's guests and invitees.

2. **Term.** This Agreement shall become effective on the Effective Date and shall remain in effect for a period of FIVE (5) years. Said Term may be extended by mutual agreement of the parties in writing.

3. **Duty to Maintain Premises in Safe Condition.** Each party hereto shall maintain its respective parking lot in a safe condition. The City shall not be responsible for the repair, maintenance, striping, resurfacing, or upkeep of the Guido's Property parking lot. Conlon shall, within thirty (30) days following receipt of notice from the City that a condition exists on the Guido's Property parking lot requiring repair or maintenance, perform or have performed such repair or maintenance as identified by the City. If Conlon fails to complete such repair or maintenance within thirty (30) days following receipt of such notice, the City may, at its sole discretion, perform such repair or maintenance and, in such case, Conlon shall reimburse the City for its actual expenses incurred to repair or maintain the Guido's Property parking lot within thirty (30) days following the City's completion of such repair or maintenance.

4. **Assignment of this Agreement by Conlon if Property Conveyed or Leased.** In the event that Conlon sells, leases, or otherwise conveys any interest in the Guido's Property to any third party or parties, Conlon shall require that any agreement conveying such interest shall be conditioned upon Conlon's assignment of this Agreement to and acceptance of said assignment by such party or parties.

5. **Indemnification.** The City shall indemnify and hold Conlon harmless from and against any and all claims and losses from the public's use of the Guido's Property parking lot, subject to and without waiver of any and all statutory liability damage limitations applicable to municipalities and their officers, agents, and employees under Alabama law, and excluding (A) any claim or losses arising from or related to the intentional, negligent, or wanton act or inaction of Conlon, Guido's Restaurant, or any of their agents, employees, invitees, or licensees, (B) claims or losses alleging or arising from or related to any defect or dangerous condition present on the premises owned, leased, or operated by Conlon or Guido's Restaurant, or (C) any claims brought by individuals who, at the time the claim accrued, were patrons, customers, guests, invitees, or licensees of Conlon and/or Guido's Restaurant. Conlon shall indemnify and hold the City harmless from and against any and all (i) claims alleging any defect or dangerous condition present on the premises owned, leased, or operated by Conlon and (ii) claims and losses arising from or related to the intentional, negligent, or wanton act or inaction of Conlon, Guido's Restaurant, or any of their agents, employees, invitees, or licensees. The provisions of this Section 5 shall survive the expiration or termination of this Agreement to the extent of any claims accruing during the Term of this Agreement.

6. **Termination.** Either party may terminate this Agreement, with or without cause, by providing the other party with advance, written notice of its intent to terminate at least sixty (60) days prior to the effective date of such termination. Prior to the date on which this Agreement shall either expire or terminate pursuant to the terms of this Section, the City shall erect or construct, at the City's expense, a temporary or permanent barrier located on property owned by the City to prevent vehicular access to the City's public parking lot from the Guido's Property.

7. **Notices.** All notices, demands, requests, or other communications required or permitted to be given pursuant to the terms of this Agreement shall be in writing and shall be deemed to have been properly given (i) upon actual delivery if delivery is by hand, or (ii) on the third day following the date on which each such notice is deposited, postage prepaid, in the United States mail, certified, return receipt requested. All notices shall be directed to the other party at the address indicated below, or to any other address as the parties may designate by notice delivered pursuant to this provision. Rejection or other refusal to accept or inability to deliver because of changed address of which no notice was given shall be deemed to be receipt of the notice, demand, request or other communication.

To the City: City of Daphne
Attn: City Clerk
1705 Main Street
Daphne, AL 36526

With a Copy to: Adams and Reese LLP
Attn: Jay M. Ross
11 N Water St, Ste 23200
Mobile, AL 36602

To Conlon: Kristopher Conlon
1709 Main Street
Daphne, AL 36526

8. **Miscellaneous.**

a. This Agreement shall in all respects be interpreted, enforced, and governed under the laws of Alabama.

b. This Agreement may be executed in multiple counterparts by original or facsimile signatures, and each such counterpart shall be considered an original, but all of which together shall constitute one and the same agreement.

c. This Agreement constitutes the entire understanding and agreement of the parties with respect to the subject matter hereof, and any and all prior agreements, understandings, and representations are hereby terminated and canceled in their entirety and are of no further force and effect. No amendment, change, modification, or termination of this Agreement shall be valid unless in a writing signed by both parties. This Agreement shall not confer any rights or remedies upon any person or entity other than the parties hereto.

d. If any action at law or in equity shall be brought for or on account of any breach of, or to enforce or interpret any of the covenants, terms, or conditions of, this Agreement, the prevailing party shall be entitled to recover from the other party court costs including attorneys' fees.

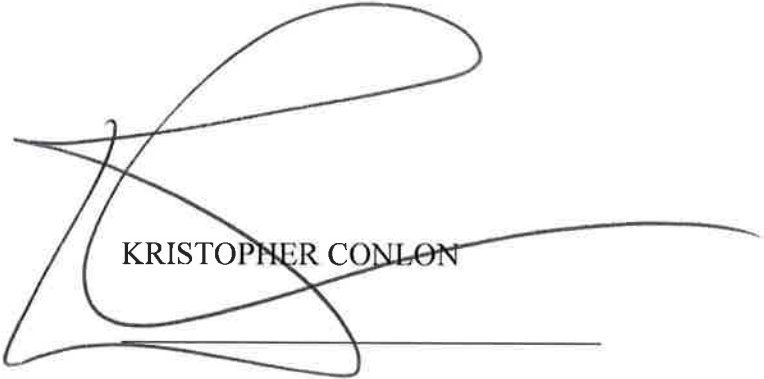
IN WITNESS WHEREOF, each of the parties has caused this Agreement to be executed by their duly authorized representatives on the date first stated herein.

CITY OF DAPHNE, ALABAMA

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, City Clerk


KRISTOPHER CONLON

**STATE OF ALABAMA
COUNTY OF BALDWIN**

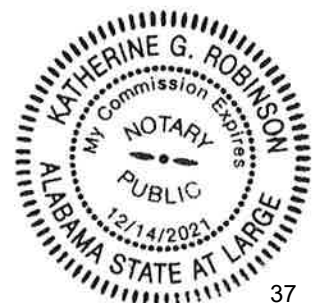
I HEREBY CERTIFY that on this 26th day of March, 2021, before me, the subscriber, a Notary Public in and for said County and State, personally appeared KRISTOPHER CONLON, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the document, he, with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 26th day of March, 2021.


Notary Public

(SEAL)

My Commission Expires: 12/14/21





SHAWN MITCHELL

CONTACT INFO

Cell: 251-442-7713
Email: smitchell.care@gmail.com
Address: 120 Durnford Hill Ct.
Daphne, AL 36526

Social media:
BayandBungalow.com
www.facebook.com/BayandBungalow

PROFILE

I am a cultural geographer at the University of South Alabama and a Realtor with Coastal Alabama Real Estate (CARE) in Fairhope. As a resident of Daphne (District 2), I'd love to be part of the DRA. We searched for a house in Olde Towne because of its small-town feel and walkability. I'd like to see redevelopment efforts that balance preserving Daphne's charm with diversifying the types of businesses and events that promote economic growth and draw visitors.

COMMUNITY INVOLVEMENT

Mobile Baykeeper

- Fundraising events (Bay Bash)
- Apple Snail Roundup
- Coastal Clean-up

Community Event Planning

- Neighborhood Easter egg hunt
- Neighborhood kickball games
- Olde Towne Christmas event
- Baldwin County Yardi Gras

Christ the King Catholic Church member

EDUCATION

Louisiana State University, Baton Rouge
B.A. December 1990
Major- Anthropology, Minor- Spanish

Ph.D. May 1997
Major- Geography

WORK EXPERIENCE

GIS Technician

- GIS Department, City of Mobile (temporary, full-time position)
2015-2016

Geography Instructor

- UNC Chapel Hill (online) 1998-2019
- University of Mobile (part-time)
2002-2013
- Spring Hill College (part-time)
2002-2016
- University of South Alabama (full-time)
2007-present

Realtor

- Coastal Alabama Real Estate, Fairhope
2020-present

SKILLS

GIS Mapping

- ArcMap, ArcGIS

Basic computing skills

- Microsoft Office Suite, Libre Office

The City of Daphne
Planning Commission Minutes
Regular Meeting of February 25, 2021
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 5:05 p.m. The number of members present constitutes a quorum.

Call of Roll:

Members Present:

Steve Olen
John Peterson
Andrew Prescott, Vice Chairman
Ronnie Huskey
Kevin Spriggs
Adam Manning
Marybeth Bergin, Chairman

Staff Present:

Troy Strunk, Executive Director, City Development
Jan Vallecillo, Planning Coordinator
Patrick Dungan, 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 January 28, 2021. There being none, minutes are approved as submitted.*

The next order of business is a presentation by Mayor Robin LeJeune.

Mayor LeJeune presented a certificate of appreciation to Hudson Sandefur, ex officio for the Mayor, and thanked him for his service as a member of the Planning Commission for eight years, community leader and owner of Zaxby's. He thanked the Commission for their service and stated that Mr. Manning has taken that role of ex officio.

The next order of business is site plan review for the New Access Road at TimberCreek Village.

An introductory presentation was given by Frank Leatherwood, representative of Thompson Engineering, of a two-lane road intended to serve as access for TimberCreek Village Subdivision on Highway 31 to future commercial development. He advised that an ALDOT permit is currently under review, and the issuance is pending. The owner also requested a waiver to the sidewalk requirement because there are currently no sidewalks in that area.

Chairman noted that storm water is directed to an existing detention pond.

The City of Daphne
Planning Commission Minutes
Regular Meeting of February 25, 2021
Council Chamber, City Hall - 5:00 P.M.

Chairman asked for Commission questions or comments and stated staff recommended consideration of a waiver to the sidewalk requirement, but to revisit it upon future development of the site. Mr. Leatherwood stated his client is agreeable to that.

Chairman asked for a motion.

A Motion was made by Mr. Prescott and **Seconded** by Mr. Spriggs **to approve the New Access Road at TimberCreek Village site plan conditioned upon a waiver to the sidewalk exemption and to revisit the need for a sidewalk upon presentation of a site plan for further commercial development. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is site plan review for Popeye's North Daphne.

An introductory presentation was given by Paul Marcinko, representative of Jade Consulting, requesting site plan review of a restaurant with associated parking, drainage, and landscaping located northwest of Timber Circle and Mill Lane.

Chairman asked for Commission questions or comments and asked about the recommended changes or improvements outlined by the traffic impact study. Mr. Marcinko advised that no improvements or an ALDOT permit were required; however, ALDOT request a queue analysis for review.

Chairman asked about the single access/double stacked design. Mr. Marcinko responded typically, Popeye's would have a single driveway, but at recommendation of staff and the TimberCreek POA, the site will have a double stacked driveway. He advised of the hours of operation and that no deliveries will be made during business hours.

Chairman advised of correspondence received regarding the possible impacts of the off-street parking to the businesses on Timber Circle. Mr. Marcinko responded that the covenants for TimberCreek Business Park prohibit parking on the right-of-way. He noted that with the addition of the double-stacked driveway, no access to Mill Lane, and the additional parking provided, we expect all patrons to park onsite.

Mr. Spriggs asked if Mill Lane is a city street. Chairman responded yes.

Chairman asked for a motion.

A Motion was made by Mr. Prescott and **Seconded** by Mr. Spriggs **to approve Popeye's North Daphne site plan. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is site plan review for Oakside Village.

An introductory presentation was given by Casey Hill and Brent Anderson, representatives of Dewberry, of a thirteen-unit multi-family development located south and adjacent to Lake Forest Boulevard and north of Country Club Drive.

Chairman asked for Commission questions or comments.

The City of Daphne
Planning Commission Minutes
Regular Meeting of February 25, 2021
Council Chamber, City Hall - 5:00 P.M.

Mr. Spriggs requested a modification to the location of the sidewalk to minimize the impacts to the landscaping area maintained by Loma Alta Towers. Mr. Anderson stated we will coordinate with the city staff to determine the exact location of the sidewalk and landscaping in the right-of-way.

Chairman stated staff had advised that any improvements to the right-of-way would require permitting and coordination with Public Works. Mr. Strunk commented a part of the long-term master plan for Lake Forest Subdivision is to provide a sidewalk in the median of the entire community and staff recommended the sidewalk in that location.

Mr. Peterson asked about the proximity of the north driveway and the gated access of Loma Alta Towers. Mr. Strunk stated the accesses are aligned.

Chairman asked for Commission questions or comments and a motion.

A Motion was made by Mr. Spriggs and Seconded by Mr. Prescott to approve Oakside Village site plan conditioned upon coordination with staff of the location of the sidewalk and landscaping on the right-of-way. There was no discussion on the motion. The Motion carried unanimously.

Chairman explained that the applications for the revision of the master plan for the Reserve of Daphne, Phase Two, and the administrative presentations for the DISC Overlay District and Official Zoning/Street Maps have been removed from the agenda.

The next order of business is preliminary/final plat review for Lewis Family Subdivision.

An introductory presentation was given by Al Finley, representative of Dewberry, requesting preliminary/final plat review of a two-lot subdivision consisting of one point eight-three acres located west and adjacent to Pollard Road. He stated this is a family subdivision and Resubdivision of Lot 9, Houlson Estates Subdivision.

Chairman asked for Commission questions or comments.

Chairman stated a family subdivision in the city requires the approval of the Commission and asked him to address the existing dwelling on Lot 2. Mr. Finley responded staff had advised that if there are any improvements on Lot 2, that will require the removal of the dwelling.

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 Mr. Olen to approve Lewis Family preliminary/final subdivision plat. There was no discussion on the motion. The Motion carried unanimously.

The next order of business is preliminary/final plat review for Cedar Knoll Subdivision.

The City of Daphne
Planning Commission Minutes
Regular Meeting of February 25, 2021
Council Chamber, City Hall - 5:00 P.M.

An introductory presentation was given by Casey Hill, representative of Dewberry, requesting preliminary/final plat review of a four-lot subdivision consisting of one-point five eight acres located southwest of Randall Avenue and Via Del San Francesco. She advised that a general note was added to the subdivision plat stating that the singular driveway is an ingress and egress, as well as, a utility easement.

Chairman asked for Commission questions or comments and opened the floor to public participation.

The residents of the La Casa di San Francesco Subdivision and the Gardens of Randall Subdivision, spoke in opposition, and expressed concerns about flooding, buffer requirements of property abutting an alley, setbacks, configuration of the homes, and an access for emergency vehicles.

Chairman asked the representative to address the orientation of the homes. Ms. Hill advised that the developer is unsure of the orientation of the homes.

Chairman reiterated the concerns expressed during public comment about the proximity of the residential homes and vehicle access to the alley.

Chairman asked about a modification to the setbacks or orientation of the residential homes. Ms. Hill advised that the developer is open to modification of the setbacks.

Mr. Dungan advised that he could not adequately respond tonight and would have to review the Land Use Ordinance to see whether this is something this body can do or if it would be another body. In viewing the easement and or alley mentioned, it is wholly within La Casa di San Francesco Subdivision that is not be effected by this subdivision.

Mr. Strunk noted that the private access into the adjoining neighborhood is facing the rear of the backyards of this development and may not be a problematic planning concern. He noted that their subdivision has a public right-of-way that emergency vehicles would utilize.

Mr. Spriggs asked would the removal of existing dwelling be a part of this development. Ms. Hill stated it is gone.

Mr. Spriggs asked for confirmation that the developer would agree to modify the setbacks of Lots 2 and 4 and asked the zoning of the subdivision. Chairman responded R-2. Ms. Hill responded that she would have to discuss that with the client.

Ms. Hill stated responded that this is a residentially zone property abutting an existing residential subdivision and does not require a buffer. She advised that the ten-foot side setback meet the requirements of the zoning ordinance. Mr. Strunk concurred.

Chairman asked if the Commission requests a setback modification, would that require that the application to be tabled.

**The City of Daphne
Planning Commission Minutes
Regular Meeting of February 25, 2021
Council Chamber, City Hall - 5:00 P.M.**

Mr. Dungan provided an overview of the contents of Section 11-5 and advised that it does allow the Commission to make slight modifications to the subdivision regulations, if documented and there is good reason to do so. However, Section 9-5, Flag Lots, is specific to the setbacks of flag lots, and it is clear that the front would be the northern side of the lots facing Randall Avenue.

Mr. Prescott stated because it is on private property the front setback should not be adjusted.

Chairman asked for Commission questions or comments and closed public participation. She asked for a motion.

A Motion was made by Mr. Prescott and **Seconded** by Mr. Peterson **to approve Cedar Knoll preliminary/final subdivision plat. There was no discussion on the motion.**

Upon roll call vote:

Mr. Olen	Nay
Mr. Peterson	Aye
Mr. Prescott	Aye
Mr. Huskey	Aye
Ms. Bergin	Aye
Mr. Spriggs	Aye
Mr. Manning	Aye

The Motion carried.

The next order of business is a preliminary plat review of Jubilee Farms Subdivision, Phase Fourteen.

An introductory presentation was given by Al Finley, representative of Dewberry, requesting preliminary plat review of a forty-four lot subdivision consisting of approximately nine-point three-nine acres located southeast of Alabama Highway 181 and Austin Road.

Chairman asked for Commission questions or comments and stated the only construction in this phase is of the roadways. The common area is in the southwest corner and storm water detention has been installed.

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 Mr. Spriggs **to approve Jubilee Farms Subdivision, Phase Fourteen preliminary plat. There was no discussion on the motion. The Motion carried unanimously.**

Chairman stated the next order of business is a request for Planning Commission approval of sand volleyball courts in a B-2, General Business, district, at 25620 Friendship Road of a proposed expansion to the east.

The City of Daphne
Planning Commission Minutes
Regular Meeting of February 25, 2021
Council Chamber, City Hall - 5:00 P.M.

Chairman explained that the Commission will hold a public hearing because the ordinance does not specifically address this use in the Land Use and Development Ordinance.

A presentation was given by Gavin Willisson, representative of No Off Season, requesting consideration of Planning Approval of sand volleyball courts at 25620 Friendship Road.

Chairman asked for Commission questions or comments. She 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. Bergin to grant Planning Commission approval of sand volleyball courts at 25620 Friendship Road for No Off Season. There was no discussion on the motion. The Motion carried unanimously.

The next order of business is public participation.

Chairman asked for public participation.

Don Whitt, President of Loma Alta Towers POA, and Hal Callaway, board member and resident, spoke in opposition of approval of Oakside Village, without allowing public input to express concerns about installing a sidewalk on the right-of-way, rather than the property; the preservation of the landscaped area maintained by the POA, and, additional traffic on Lake Forest Boulevard. Judy Graham and Frances Harris, the owners of Cedar Knoll, thanked the Commission for approval of their subdivision.

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

Mr. Dungan stated no report.

The next order of business is commissioner's comments.

Commissioners welcomed Adam Manning to the Planning Commission. Kevin Spriggs commented on allowing public comment during the presentation of a site plan, preservation of a private organization's beautification of a right-of-way, and encroachment onto private property.

The next order of business is director's comments.

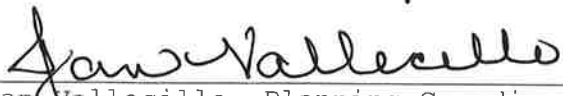
Chairman presented the upcoming meeting dates. Site Preview is March 17, and the Regular Meeting is March 25, 2021.

Ms. Vallecillo noted that there have been several applications submitted for next month.

There being no further business, the meeting was adjourned at 6:28 p.m.

The City of Daphne
Planning Commission Minutes
Regular Meeting of February 25, 2021
Council Chamber, City Hall - 5:00 P.M.

Respectfully submitted by:


Jan Vallecillo, Planning Coordinator

Approved: April 22, 2021


Marybeth Bergin, Chairman

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF MARCH 25, 2021
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Report

1. **CALL TO ORDER:** 5:04 p.m.
2. **CALL OF ROLL:** Marybeth Bergin, Andrew Prescott, Ronnie Huskey, Steve Olen, Kevin Spriggs, John Peterson, Phillip Hodgson and Adam Manning
3. **APPROVAL OF MINUTES:** Review of minutes of the regular meeting of February 25, 2021. (**Approved**)
4. **NEW BUSINESS:**

A. DAPHNE SECURE STORAGE PLANNING APPROVAL, SITE PLAN AND REQUEST FOR SIDEWALK EXEMPTION:

1. Planning Commission approval of a warehouse and/storage facility in a B-2 zone. (**Approved contingent upon the addition of a suitable architectural façade along County Road 64, and planted islands in the parking lot**)
2. File SP21-04: (**Denied sidewalk exemption request; approved site plan contingent upon the alignment of the entrance/exit on County Road 64 with Winged Foot Subdivision and secondary entrance is a right-in/right-out only**)

Site: Daphne Secure Storage

Zoning: B-2, General Business

Location: Southeast of the intersection of Pollard Road and County Road 64

Area: 4.14 ± Acres

Owner(s): Montchai and Amanda Marino

Engineer: Element 3 Engineering - Joe Harper, III

B. PRELIMINARY/FINAL PLAT REVIEW:

1. File SDPF21-04: (**Approved**)

Subdivision: Ilina

Zoning: RSF-1, Single Family Residential, Baldwin County District 15, in the Extraterritorial Planning Jurisdiction of Daphne

Location: East of Sedona Drive and County Road 54

Area: 4.77 Acres ±, (2) lots

Owner: Thomas Hock

Surveyor: Bay Area Surveying - Jerry Perez

C. JUBILEE FARMS SUBDIVISION, PHASES SEVEN AND STREET ACCEPTANCE:

1. **FINAL PLAT REVIEW:**

File SDF21-01: (**Approved**)

Subdivision: Jubilee Farms, Phase Seven

Present Zoning: PUD, Planned Unit Development

Location: Southeast of Austin Road and Alabama Highway 181

Area: 38.04 ± Acres, (112) lots

Owner: Forestar "USA" Real Estate Group, Inc. - Tucker Dorsey

Agent: Dewberry - Al Finley

Surveyor: Dewberry - Victor Germain

Engineer: Dewberry - Jason Estes

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF MARCH 25, 2021
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Report

2. STREET ACCEPTANCE PETITION:

File AP21-03: (Favorable recommendation to the City Council)

Presentation to be given by Al Finley, representative of Dewberry, recommending acceptance of all right-of-ways contained within Jubilee Farms Subdivision, Phase Seven. Said right-of-ways being California Chrome Trail (191 linear feet), Secretariat Boulevard (1,021 linear feet), Ruffian Route (2,046 linear feet), Northern Dancer Court (1,521 linear feet), and Zenyatta Loop (678 linear feet).

D. JUBILEE FARMS SUBDIVISION, PHASES EIGHT AND STREET ACCEPTANCE:

FINAL PLAT REVIEW:

1. File SDF21-02: (Approved)

Subdivision: Jubilee Farms, Phase Eight

Present Zoning: PUD, Planned Unit Development

Location: Southeast of Austin Road and Alabama Highway 181
Area: 16.90 ± Acres, (29) lots
Owner: Forestar "USA" Real Estate Group, Inc. - Tucker Dorsey
Agent: Dewberry - Al Finley
Surveyor: Dewberry - Victor Germain
Engineer: Dewberry - Jason Estes

2. STREET ACCEPTANCE PETITION:

File AP21-04: (Favorable recommendation to the City Council)

Presentation to be given by Al Finley, representative of Dewberry, recommending acceptance of all right-of-ways contained within Jubilee Farms Subdivision, Phase Eight. Said right-of-ways being Affirmed Avenue (1,191 linear feet), and Scully Lane (165 linear feet).

E. PETITIONS:

1. VACATION OF EASEMENT:

File VOE21-02: (Favorable recommendation to the City Council)

Applicant: Wayne Champeaux and Marcene Lake

Location: 102 Briarcliff Circle, Lake Forest Subdivision, Unit 7, Lots 91 & 92
Area: 0.50 Acres ±
Owner: Wayne Champeaux and Marcene Lake

F. JUBILEE FARMS PUD STANDARDS MODIFICATION:

Presentation to be given by Al Finley or Casey Hill, representative of Dewberry, requesting a modification to the Jubilee Farms PUD Standards. Forestar "USA" Real Estate Group, Inc. proposes to reapportion the lot sizes within Jubilee Farms development by decreasing the number of 70-foot wide lots by 89 and increasing the number of 52-foot wide lots by 89. The total lot count remains 909. (Favorable recommendation to the City Council)

5. PUBLIC PARTICIPATION: None presented

6. ATTORNEY'S REPORT: No report

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF MARCH 25, 2021
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Report

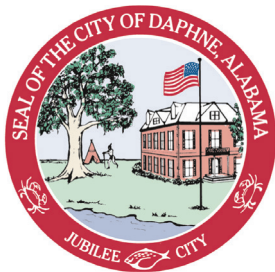
7. **COMMISSIONER'S COMMENTS:** None presented
8. **DIRECTOR'S COMMENTS:** Chairman presented the upcoming meeting dates. Site Preview is April 14, and the Regular Meeting is April 22, 2021.
9. **ADJOURNMENT:** 6:09 p.m.

Monthly Report

February 2021

Description:	Month of Event:	Court Rental/ Lott:	Field Rental/ Trione:	Field Rental/ SportsPlex:	# of Teams/ Tennis Participants:	# of Fields/ Courts:	Concess Net Sales:	10 % Concess Sales:	Employee Cost:
January 2021:									
USSSA Adult Softball tournament (Mens)	Jan 09		\$700.00		10	4	N/A	N/A	N/A
USTA Matches	Jan - Feb	\$120.00			10	5	N/A	N/A	N/A
Practice	Jan - Mar	\$37.50	\$965.00	\$410.00	N/A	N/A	N/A	N/A	N/A
Jan Totals:		\$157.50	\$1,665.00	\$410.00	20	9	\$0.00	\$0.00	\$0.00
February 2021:									
USSSA Adult Softball tournament (Mens)	Feb 6-7		\$1,400.00		30	4	N/A	N/A	N/A
USTA Winter League 18+ 7.0	13-Feb	\$160.00			40	8	N/A	N/A	N/A
Fairhope USTA Junior Tournament	Feb 20-21	\$480.00			160	6	N/A	N/A	N/A
DHS Jubilee Showdown	Feb 26-27			\$0.00	24	5	\$7,016.21	\$701.62	\$903.64
Rangers	Feb 26-27		\$0.00		60	6	N/A	N/A	N/A
USSSA Girls Softball Tournament	27-Feb		\$400.00		8	2	N/A	N/A	N/A
Practice	Feb-May	\$1,000.00	\$3,080.00	\$2,000.00	N/A	N/A			
Feb Totals:		\$1,640.00	\$4,880.00	\$2,000.00	322	31	\$7,016.21	\$701.62	\$903.64
Upcoming Tournaments Receipted:									
Pantovic Academy Tennis Tournament	20-Mar	\$160.00			35	8	N/A	N/A	N/A
GSSA Gatorade Super Regional AL-1	20-Mar			\$4,400.00	76	10			\$2,761.12
Jubilee Pickleball Tournament	Apr 17		\$50.00		20	5	N/A	N/A	N/A
Memorial Adult Softball Tournament	Apr 24		\$800.00		TBD	TBD	N/A	N/A	N/A
Totals:		\$160.00	\$2,515.00	\$410.00	40	14	\$0.00	\$0.00	\$0.00

Approved by: Chad M. Smith



City of Daphne

Event Permit Application

Date of Application: _____ Permit Requested: ☐ Event/Fundraiser ☐ Parade/Run ☐ Band

Contact Information

Organization Name: _____

Contact Name: _____ E-mail Address: _____

Address: _____

Street / P.O. Box

City/State/Zip Code

Primary Phone Number: _____ Secondary: _____

Event Information

Event Name: _____ Event Date: _____

Event Location: _____ # Participants/Vehicles: _____

Start Time: _____ Stop Time: _____ Assembly Time: _____

Parades/Runs Only

Special Requests: _____

_____ Road Closures Requested: ☐ Yes ☐ No

Special Instructions

Approval: Internal Use Only

Date Routed: _____

Fire Dept: _____

Police Dept: _____

Public Works: _____

Parks & Recreation: _____

Only required if event interrupts traffic near Daphne parks

For Special Event/Band Permits:

Council Member: _____

District #

Signature

For Parade/Run Permits & Use of City Grounds:

City Council: _____

Date of Approval

Not valid unless stamped "Approved"

Parade/Run Permits ONLY

☐ Fee Paid: \$ _____ ☐ N/A ☐ Waived

☐ Insurance Filed ☐ N/A

Route Selection: ☐ 1 ☐ 2 ☐ 3 ☐ 4



City of Daphne Event Permit Application

Date of Application: 3/19/21 Permit Requested: ☒ Event/Fundraiser ☒ Parade/Run ☐ Band

Contact Information

Organization Name: Buckaroo Foundation/ Wright Transportation

Contact Name: Bradley Williams E-mail Address: Bradley@Wrighttrans.com

Address: 2333 Dauphin Island Pkwy Mobile, AL 36605

Primary Phone Number: 251-680-3102 Secondary: 251-300-6149

Event Information

Event Name: Buckaroo Stampede 5K/Fun Run Event Date: June 26, 2021

Event Location: Certified 5K Route #3 # Participants/Vehicles: 250/180

Start Time: 0700 Stop Time: 1300 Assembly Time: 5k@0730/ Fun Run@ 8:30

Special Requests: Portable bathroom trailer at city hall/ If rained out make up day July 10, 2021

Road Closures Requested: ☒ Yes ☐ No

Special Instructions

Approval: Internal Use Only

Date Routed: 03/22/2021

Fire Dept: approved via email

Police Dept: approved via email

Public Works: approved via email

☐ Use of Alcohol

Parks & Recreation: _____

Only required if event interrupts traffic near Daphne parks

For Special Event/Band Permits:

City Clerk: _____

Signature

For Parade/Run Permits & Use of City Grounds:

City Council: _____

Date of Approval

Parade/Run Permits ONLY

☐ Fee Paid: \$ _____ ☐ N/A ☐ Waived

☐ Insurance Filed ☐ N/A

Route Selection: ☐ 1 ☐ 2 ☐ 3 ☐ 4

To: Office of the City Clerk

MEMORANDUM

From: Adrienne D. Jones, 
Director of Community Development

Subject: Jubilee Farms PUD Standards
Modification

Date: March 29, 2021

PRESENT ZONING: PUD, Planned Unit Development

LOCATION: Southeast of Austin Road and Alabama
Highway 181

RECOMMENDATION: At the Thursday, March 25, 2021,
regular meeting of the Daphne
Planning Commission, eight members
were present, and the motion carried
for a favorable recommendation for
the above-mentioned modification of
the Jubilee Farms PUD Standards
Modification.

Attached please find the appropriate documentation and
action of the Daphne Planning Commission.

Upon receipt of said documentation, please prepare an
ordinance for placement on the City Council agenda to set
a public hearing.

Thank you,
ADJ/jv

Attachment(s)

1. Jubilee Farms PUD Standards Modification
2. Community Development Report

FILE
3129 52
8:52am

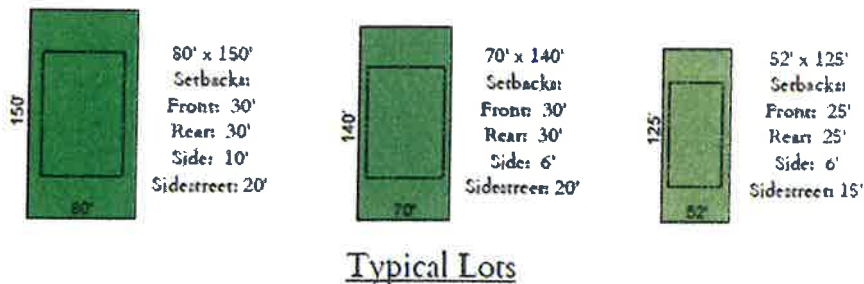
JUBILEE FARMS

PROPOSED MODIFICATION TO PUD STANDARDS

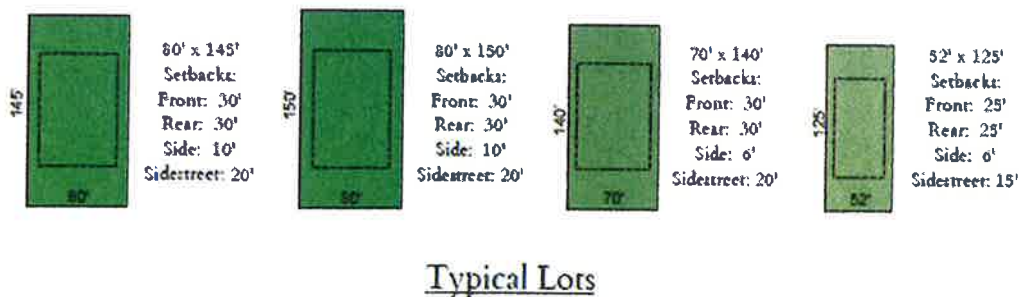
This is a proposal to amend the original Jubilee Farms standards outlined in Ordinance 2017-39. The applicant desires to increase the number of 52-ft wide lots and to decrease the number of 70-ft wide lots.

The proposed development consists of 909 single family lots, with 375 lots at 52' wide and a minimum of 6,500 sq. ft., and 400 lots at 70' wide and a minimum of 9,800 sq. ft., and 134 lots at 80' wide and a minimum of 12,000 sq. ft. The proposed density of the development is 2.51 units per acre. There are 89.45 acres, or 24.7% of the total site, proposed as common area. These common areas consist of 26.51 acres of formal open space, 53.96 acres of passive open space, and 8.98 acres of jurisdictional wetlands.

Originally, there were three plan types, then four.



8/2017



1/2018 until current

JUBILEE FARMS

There are 375 (three hundred and seventy five) proposed 52-ft wide lots with a minimum area of 6,500 square feet. There were supposed to be 400 (four hundred) 70-ft wide lots with a minimum area of 9,800 square feet. The Phasing Summary below is an excerpt from the most recently updated Jubilee Farms Master Plan approved in December 2020.

Notice the summary showed 390 (increased 15) 52-ft wide lots and 382 (18 decreased) 70-ft wide lots. Such was considered relatively minor in nature. The request to eliminate the larger lots and increase the smaller lots must be approved by Council.

Phasing Summary

NOV 19 2020

PHASE	Future Development	80x145s	80x150s	70x140s	52x125S	LOTS/PHASE	ACREAGE	L.F. STREETS
1	0	23	50	0	0	73	45.37	7405
2	0	0	0	58	0	58	19.91	2333
3	0	0	0	0	57	57	16.43	2184
4	0	0	0	52	0	52	21.62	2216
5	0	0	0	0	59	59	17.84	2654
6	0	0	27	15	36	78	31.00	4025
7	0	0	18	0	94	112	37.89	5614
8	0	0	0	29	0	29	16.90	2018
9	0	0	0	31	0	31	10.74	1261
10	0	0	0	57	0	57	22.16	3232
11	0	0	16	2	69	87	29.98	4283
12	0	0	0	74	0	74	36.96	3160
13	0	0	0	64	0	64	20.31	2608
14	0	0	0	0	44	44	9.26	1202
15	0	0	0	0	31	31	11.28	1363
TOTAL	0	23	111	382	390	906	347.65	45558

JUBILEE FARMS

Current Proposal

Phasing Summary

PHASE	Future Development	80x145s	80x150s	70x140s	52x125S	52x140S	LOTS/PHASE	ACREAGE	L.F. STREETS
1	0	23	50	0	0	0	73	45.37	7405
2	0	0	0	58	0	0	58	19.91	2333
3	0	0	0	0	57	0	57	16.43	2184
4	0	0	0	52	0	0	52	21.62	2216
5	0	0	0	0	59	0	59	17.84	2654
6	0	0	27	15	36	0	78	31.00	4025
7	0	0	18	0	94	0	112	37.89	5614
8	0	0	0	29	0	0	29	16.90	2018
9	0	0	0	31	0	0	31	10.74	1261
10	0	0	0	57	0	0	57	22.16	3232
11	0	0	16	2	69	0	87	29.98	4281
12	0	0	0	67	0	0	67	36.94	2898
13	0	0	0	0	0	74	74	19.02	2239
14	0	0	0	0	44	0	44	9.26	1202
15	0	0	0	0	31	0	31	11.28	1363
TOTAL	0	23	111	311	390	74	909	346.34	44925

Staff Recommendation:

According to Section 30-1 of the Planned Unit Development District, "Overall, the City desires PUD zoning to produce development that is superior to development designed under conventional zoning and subdivision regulations."

Staff opines that the lot distribution should not be modified. The current distribution provides a diverse range of lot and home sizes. Increasing the number of 52-ft wide lots makes tilts the development to being a patio home development. A patio home development could have been zoned R-6(G) rather than PUD. The purpose of a PUD is to provide superior design. The existing and planned diversity lends itself to such superior design.



Jubilee Farms

A Planned Unit Development
Daphne, Alabama
(AMENDED FEBRUARY, 2021)

Placing Summary

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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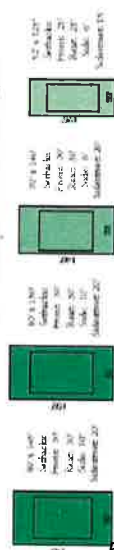
Development Summary

Current Zoning: PUD	22.77 Ac.	(6.6%)
Streets: 44,925 L.F.	55.02 Ac.	(15.9%)
Total Acreage: 346.34 Ac.	9.44 Ac.	(2.7%)
Open Space:	87.23 Ac.	(25.2%)
Formal:		
Passive:		
Wetlands (J.D.):		
TOTAL:		

Lot Summary

80 x 145 ft 50%	134	(15%)
70 x 140 ft	311	(34%)
52 x 125 ft	300	(33%)
52 x 140 ft	74	(8%)
TOTAL:	909	

Conceptual Trail Location



Typical Lot



Jubilee Farms

A Planned Unit Development

Daphne, Alabama

(AMENDED NOVEMBER 19, 2020)

Phasing Summary

Phase	Acres	Units
1	10.00	100
2	10.00	100
3	10.00	100
4	10.00	100
5	10.00	100
6	10.00	100
7	10.00	100
8	10.00	100
9	10.00	100
10	10.00	100
11	10.00	100
12	10.00	100
13	10.00	100
14	10.00	100
15	10.00	100
16	10.00	100
17	10.00	100
18	10.00	100
19	10.00	100
20	10.00	100
21	10.00	100
22	10.00	100
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25	10.00	100
26	10.00	100
27	10.00	100
28	10.00	100
29	10.00	100
30	10.00	100
31	10.00	100
32	10.00	100
33	10.00	100
34	10.00	100
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39	10.00	100
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41	10.00	100
42	10.00	100
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97	10.00	100
98	10.00	100
99	10.00	100
100	10.00	100



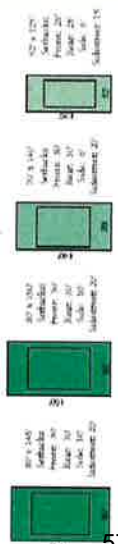
Development Summary

Current Zoning: RSE-2 & RA (B.C. Dist. 15)
 Proposed Zoning: P.U.D. (Daphne)
 Streets: 48,538 L.F.
 Total Acreage: 347.65 Ac.
 Open Space:
 Formal: 24.05 Ac. (6.9%)
 Passive: 80.08 Ac. (23.0%)
 Wetlands (J.D.): 5.23 Ac. (1.5%)
TOTAL: 109.36 Ac. (31.4%)

Lot Summary:

80 x 145/150'	134	(15%)
70 x 140'	382	(42%)
52 x 125'	390	(43%)
TOTAL	906	

Conceptual Trail Location
 Conceptual Pasture Trail Location



Typical Lots

02/24/2021

Ms. Adrienne Jones, AICP
Planning Director
City of Daphne
Daphne, AL 36526

SUBJECT: Jubilee Farms PUD Standards Modification Request

Dear Adrienne,

Dewberry Engineers is submitting herewith a request to modify the Jubilee Farms Planned Unit Development on behalf of our client, D.R. Horton. This request is justified for the following reasons:

- The approved number of lots in Jubilee Farms remains at 909 single family homes. No change is proposed to the previously approved total.
- There is an increased number of smaller lots offset by an increase in open space
- The increased number of smaller lots is in response to soaring construction costs and the area's booming population, a consideration that has allowed for the construction of more affordable homes that are in high demand.
- The elimination of the cul-de-sac in "Phase 12" provides a more useable space for the detention pond resulting in an improved drainage design.

In addition, the developer has not only met but exceeded the open space and amenity requirements of the PUD. In specific, the following improvements have surpassed the original PUD proposal:

- Jubilee Farms residents enjoy numerous one-of-a-kind facilities constructed by the developer. These include a grand entry feature from Highway 181, community clubhouse, family pool, adult pool, large playground, and splash pad. Lakes and ponds built with the development have been stocked with fish for the active recreation of residents.
- Daphne Gas, although not required, has been installed throughout the development. This gives residents greater flexibility and more options when choosing home appliances and services.

Please let me know if further information is needed. Thank you very much.

Sincerely,



Melissa A. Currie, PhD, RLA
Senior Planner
Dewberry
25353 Friendship Road
Daphne, AL 36526
(251) 929-9809

**JUBILEE FARMS
PUD STANDARDS
(AMENDED February 2021)**

Jubilee Farms, a Planned Unit Development (PUD), is a ~~361.55~~ 346.34-acre site located southeast of the intersection of Alabama Highway 181 and Austin Road. The property is presently ~~in the extraterritorial jurisdiction of the City of Daphne and is located in Baldwin County Planning District 15 and is zoned RA—Rural Agriculture (approximately 21 acres) and RSF-2—Residential Single Family. Application has been made to the City of Daphne to Pre-zone this property as a PUD.~~ zoned PUD in the City of Daphne.

The proposed development consists of 909 single-family lots arranged in the following manner:

<u>Lot Width</u>	<u>Minimum Size</u>	<u>Number</u>	<u>Mix</u>
52'	6,500 s.f.	390	43%
52'	7,280 s.f.	74	8%
70'	9,800 s.f.	311	34%
80'	11,600 s.f.	134	15%
Total Lots		909	100%

~~, with 375 lots at 52' wide and a minimum of 6,500 sq. ft., 74 lots at 52' wide and a minimum of 7,280 sq. ft., and 400 lots at 70' wide and a minimum of 9,800 sq. ft., and 134 lots at 80' wide and a minimum of 12,000 sq. ft.~~ The proposed density of the development is ~~2.51~~ 2.62 units per acre. ~~Of the site's total area, There are 89.45~~ 87.23 acres, or ~~24.7%~~ 25.2%, are proposed as common area. These common areas consist of ~~26.51~~ 22.77 acres of formal open space, ~~53.96~~ 55.02 acres of passive open space, and ~~8.98~~ 9.44 acres of jurisdictional wetlands.

The residential lots shall ~~have~~ adhere to the following standards:

The 52' wide lots are to have building setbacks of 25' on the front and rear, 6' on the sides, and 15' on the street sides. The building setbacks for 70' wide lots are 30' on the front and rear, 6' on the sides, and 20' on the street sides. The building setbacks for 80' wide lots are 30' on the front and rear, 10' on the sides, and 20' on the street sides. The maximum building heights for all residential lots are ~~to be~~ as per the City's R-3 zoning district. The maximum building coverage of each residential lot is 45%.

All utilities ~~have been~~ will be constructed underground and water, sewer, electric, and telephone are all available to the site. All roadways within the development will be public and sidewalks will be located on both sides of the proposed roadways. Sidewalks will be installed by the home builder at the time of house construction and ~~will be~~ are required to be ADA compliant. All construction will be in accordance to the standards of the City of Daphne.

The stormwater management system will be designed in accordance with the standards of the City of Daphne. All stormwater facilities and structures outside of public rights-of-way will be maintained by the P.O.A. and not the City of Daphne.

A landscape plan will be has been provided as part of each phase of the subdivision process. The required landscaping will be provided in the common areas and installed during construction of the infrastructure adjacent to those common areas. Any additional landscaping will be provided by the home builders and/or the lot owners.

As per the City of Daphne Land Use and Development Ordinance, this development is considered a Large-Scale PUD, due to being over 300 acres in size. Developments of this size do require consideration of public facilities and services. Accordingly, the property owner has donated land to the City that is in the general area of this site to provide for a Fire Station that can to better serve this proposed development and other existing developments within the area. Multiple access points to Jubilee Farms this development will provide have been provided for alternate emergency access locations. A private school has recently been constructed in the near vicinity of this site as well as the public Belforest Elementary School which opened in Fall 2020 and the developer will coordinate with the public school system on the proposed development plans and growth rate to assist them in their planning. Traffic studies will be were conducted prior to subdivision application of the first phase. Coordinated efforts are already underway between the City, ALDOT, and the County to realign area roadways and ALDOT has begun the process of surveying and designing the constructing additional lanes for Highway 181 from Milton Jones Road to Alabama Highway 104.

Jubilee Farms is to be a unique neighborhood offering varying lot types and amenities in a pedestrian-friendly community. Several neighborhood pocket parks are located throughout the development to provide nearby access to residents with an approximately 6-acre central site provided for multiple types of amenities. Multi-use trails are also located along the common areas around the lakes, through the Parks, and along the rear of lots providing for additional pedestrian activities. As a public benefit the developer proposes a sidewalk along Austin Road adjacent to the development. The amenities, parks, multi-use trails, and sidewalks provide more opportunities on-site for residents to enjoy on-site rather than having to use City parks.

The larger lots are located along the main road that basically runs through the center of the overall development. The other two lot types are divided into multiple separate neighborhoods throughout the development. The additional 52' lot sizes and the associated building types will provide more entry level options for perspective prospective homeowners. Finally, the developer has elected to bring this development within the corporate limits of Daphne as opposed to staying in the County.

Covenants and Restrictions will provide for the formation of a Property Owner's Association for the Jubilee Farms development whereby maintenance responsibilities of the common areas and drainage infrastructure outside of public roadways will be established.

JUBILEE FARMS

Excerpt from Article 30, Planned Unit Development Provisions

b. Zoning Application

Any application for PUD zoning shall be considered either rezoning for land inside the corporate City limits or pre-zoning for land outside of the corporate limits. Zoning for a PUD district shall follow procedures as described in Article 22, Zoning Amendment. Established application procedures and public notice shall be adhered thereto. Said zoning application shall be supplemented by a PUD General Plan and associated PUD Documents. Public hearings for zoning may be held at the same time as associated preliminary plat public hearings when appropriate. Any subdivision review shall be in accordance with Article 17, Procedures for Subdivision Review.

1. Zoning Expiration & Reversion

Not more than three years after the effective date of the ordinance by which the PUD zoning classification was enacted, the developer must submit to the Planning Commission a Detailed Development Plan (site plan or preliminary plat) for the entire site or a portion thereof. Failure to submit said Plan(s) to the Planning Commission three years after the effective date of the ordinance shall automatically cause the expiration of the PUD General Plan.

Thereafter, the Community Development director or designee may request the City Council initiate rezoning of the property in accordance with Section 22-2, Reversionary Clause. Council action shall make void the PUD zoning and all related plans shall be automatically nullified. Said property shall revert to the prior zoning district or most similar zoning in effect at the time of reversion.

2. PUD Documents

The developer shall submit a document in a form acceptable to the City on behalf of the owner, their successors and assigns that will specify the following: proposed standards of each land use in the PUD including but not limited to minimum setbacks, lot area and width; maximum percentage of building coverage; minimum

Revised 04/06/15

Planned Unit Development 7

JUBILEE FARMS

parking regulations; minimum buffer requirements; maximum building height; maximum density; maximum floor to area ratio; and other site development regulations that may be required by the City in determining appropriateness of the proposed PUD.

3. Violation of PUD General Plan

Any deviation from the PUD General Plan which is not approved in accordance with this article shall constitute a violation of the ordinance establishing that Planned Unit Development District and will cause the developer to be subject to procedures and penalties set forth in Section 45-7, Penalties and Remedies.

4. Phasing & Time Limits

For any PUD to be constructed in multiple phases, the construction of the first phase must begin no more than three years from the date of the approval of the PUD zoning and PUD General Plan by the City Council. Failure to begin shall result in zoning expiration and reversion as described herein above.

c. PUD Detailed Development Plan(s)

After receiving PUD zoning designation, the developer may submit a Master Plan and Detailed Development Plans for construction to the Planning Commission.

Master Plan review for a multi-phased PUD should occur prior to the approval of Detailed Development Plans. The Master Plan shall be of sufficient detail to show proposed street and site layout, maximum density (gross and net), stormwater management ponds, and common areas.

The purpose of the Master Plan review is to ensure that each phase of the PUD is consistent with the approved General Plan, intents, general requirements and general provisions of this Article. Each Detailed Development Plan submittal shall be in accordance with the approved PUD General Plan, approved Master Plan and processed in accordance with Article 15, Site Plan Review or Article 17, Subdivision Review as applicable.

Where the developer seeks to change or modify an approved master plan, a modified PUD master plan shall be submitted to the Planning Commission for review. Upon approval of said modified PUD master plan, the developer shall then submit Detailed Development Plans for approval.

JUBILEE FARMS

Once Detailed Development Plans have been approved by the Planning Commission, minor changes may be approved administratively; however, major changes shall be considered for approval by the Planning Commission.

1. **Amendments to Plan(s)**

Modifications are permissible where in conformity with the PUD General Plan. Lack of conformity shall not be permitted. Non-conforming modifications shall not be acted upon until the City Council has granted approval of said changes in the zoning amendment process.

2. **Final Detailed Plan(s)**

Upon receiving final approval of PUD Detailed Development Plan(s) from the Planning Commission said plan(s) shall be recorded by the developer in the Office of the Judge of Probate in Baldwin County.

JUBILEE FARMS

JUBILEE FARMS PUD STANDARDS

Jubilee Farms, a Planned Unit Development (PUD), is a 361.55 acre site located southeast of the intersection of Alabama Highway 181 and Austin Road. The property is presently in the extraterritorial jurisdiction of the City of Daphne and is located in Baldwin County Planning District 15 and is zoned RA – Rural Agriculture (approximately 21 acres) and RSF-2 – Residential Single Family. Application has been made to the City of Daphne to Pre-zone this property as a PUD.

The proposed development consists of 909 single family lots, with 375 lots at 52' wide and a minimum of 6,500 sq. ft., and 400 lots at 70' wide and a minimum of 9,800 sq. ft., and 134 lots at 80' wide and a minimum of 12,000 sq. ft. The proposed density of the development is 2.51 units per acre. There are 89.45 acres, or 24.7% of the total site, proposed as common area. These common areas consist of 26.51 acres of formal open space, 53.96 acres of passive open space, and 8.98 acres of jurisdictional wetlands.

The residential lots shall have the following standards:

The 52' wide lots are to have building setbacks of 25' on the front and rear, 6' on the sides, and 15' on the street sides. The 70' wide lots are 30' on the front and rear, 6' on the sides, and 20' on the street sides. The 80' wide lots are 30' on the front and rear, 10' on the sides, and 20' on the street sides. The maximum building heights for all residential lots are to be as per the City's R-3 zoning district. The maximum building coverage of each residential lot is 45%.

All utilities will be constructed underground and water, sewer, electric, and telephone are all available to the site. All roadways within the development will be public and sidewalks will be located on both sides of the proposed roadways. Sidewalks will be installed by the home builder at the time of house construction and will be required to be ADA compliant. All construction will be in accordance to the standards of the City of Daphne.

The stormwater management system will be designed in accordance with the standards of the City of Daphne. All stormwater facilities and structures outside of public right-of-ways will be maintained by the P.O.A. and not the City of Daphne.

A landscape plan will be provided as part of the subdivision process. The required landscaping will be provided in the common areas and installed during construction of the infrastructure adjacent to those common areas. Any additional landscaping will be provided by the home builders and/or the lot owners.

As per the City of Daphne Land Use and Development Ordinance, this development is considered a Large-Scale PUD, due to being over 300 acres in size. Developments of this size do require consideration of public facilities and services. The property owner has donated land to the City that is in the general area of this site, to provide for a Fire Station that can better serve this proposed development and other existing developments within the area. Multiple access points to this development will provide for alternate emergency access locations. A private

JUBILEE FARMS

school has recently been constructed in the near vicinity of this site and the developer will coordinate with the public school system on the proposed development plans and growth rate to assist them in their planning. Traffic studies will be conducted prior to subdivision application of the first phase. Coordinated efforts are already underway between the City, ALDOT, and the County to realign area roadways and ALDOT has begun the process of surveying and designing the additional lanes for Highway 181 from Milton Jones Road to Alabama Highway 104. These improvements could begin sometime in 2018 and will be instrumental in providing for the additional traffic generated by this and other developments in the area. This development will be constructed in phases with a 15 to 20 year proposed build-out.

Jubilee Farms is to be a unique neighborhood offering varying lot types and amenities. The larger lots are located along the main road that basically runs through the center of the overall development. The other two lot types are divided into multiple separate neighborhoods throughout the development. These lot sizes and the associated building types will provide entry level options for perspective homeowners. Parks are located throughout the development with an approximately 6 acre site provided for multiple type amenities. Also the development provides 24.7% open space, which is almost 2.5 times more than is required in a PUD. Multi-use trails are also located along the common areas around the lakes, through the Parks, and along the rear of lots providing for additional pedestrian activities. As a public benefit the developer proposes a sidewalk along Austin Road adjacent to the development. The amenities, parks, multi-use trails, and sidewalks provide more opportunities for residents to enjoy on-site rather than having to use City parks. Finally the developer has elected to bring this development within the corporate limits of Daphne as opposed to staying in the County.

Covenants and Restrictions will provide for the formation of a Property Owner's Association for the Jubilee Farms development whereby maintenance responsibilities of the common areas and drainage infrastructure outside of public roadways will be established.

**CITY OF DAPHNE, ALABAMA
RESOLUTION 2021 - 09**

**VACATION OF EASEMENT
Wayne Champeux and Marcene Lake
Between Lots 91 and 92, Lake Forest Subdivision, Unit 7**

WHEREAS, Wayne Champeux and Marcene Lake have presented to the City Council of Daphne, Alabama a petition seeking vacation of easement, the desire to vacate said easement, and said consent to the vacation thereof has been given by certain entities and abutting landowners having certain rights therein; and,

WHEREAS, the City Council of Daphne, Alabama does assent to and approve the vacation and the annulment of the dedication thereof as reflected on said recorded plat and/or restrictive covenants of Lake Forest Subdivision.

NOW, THEREFORE, BE IT RESOLVED THAT THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, that the act of the aforesaid petitioner in vacating and annulling said easement is described as follows:

The 5' wide drainage and utility easement on each side of the lot line dividing Lots 91 and 92, Unit 78, Lake Forest Subdivision, as shown on the final plat recorded in Map Book 7, Page 94, Slide 635-A and 635-B, in the Judge of Probate of Baldwin County, Alabama. Said easements being located in Section 37, Township 4 South, Range 2 East.

BE IT FURTHER RESOLVED, that the City Council of Daphne, Alabama is authorized to execute this resolution and that the City Clerk is authorized and directed to attest and certify the same.

ADOPTED AND APPROVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA ON THIS THE _____ DAY OF _____, 2021.

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk

To: Office of the City Clerk .
From: Adrienne Jones, AICP, 
Community Development Director

MEMORANDUM

Subject: Wayne Champeux and Marcene Lake
102 Briarcliff Circle
Vacation of the Easement(s) between Lots
91 & 92, Lake Forest Subdivision, Unit 7

Date: March 29, 2021

At the, March 25, 2021, regular meeting of the City of Daphne Planning Commission, eight members were present. The motion carried unanimously for a **favorable recommendation** of the above-mentioned vacation of easement(s).

Attached please find the appropriate documentation and action of the Daphne Planning Commission.

Upon receipt of said documentation, please prepare a resolution for placement on the City Council agenda.

Thank you,
ADJ/jd

cc: file

attachment(s):

1. Community Development Report and Supplemental Documents
2. Application
3. Petition for Vacation of Easement(s)
4. Subdivision Plat
5. Legal Description
6. Current Survey of Easement(s)
7. Easement Release Forms
8. Adjacent Property Owners List

FILE
3/29 67
8:52am

NOTE

1. LOTS ARE DEVELOPED WITH A MINIMUM OF 100 SQ. FT. OF LOT AREA.
2. LOTS ARE DEVELOPED WITH A MINIMUM OF 100 SQ. FT. OF LOT AREA.
3. LOTS ARE DEVELOPED WITH A MINIMUM OF 100 SQ. FT. OF LOT AREA.
4. LOTS ARE DEVELOPED WITH A MINIMUM OF 100 SQ. FT. OF LOT AREA.

LAKE SIDE DRIVE

VISTA CIRCLE

HUNTER CIRCLE

IRON ROCK CIRCLE

BAY VIEW DRIVE

LAKE

LOT 1

LOT 2

LOT 3

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Proposal:

The applicant proposes to combine the two lots into one lot. In order to make the lot fully useable, the easement between the two lots must be removed. Therefore, as no entity has presented objectives, staff recommends approval.



Staff recommends that the Planning Commission set forth a favorable recommendation to the City Council to vacate the drainage and utility easement between Lots 91 and 92 of Lake Forest Subdivision, Unit 7.

Adjoining property owner notices have been distributed and the notice for a public hearing for this petition has been properly advertised in accordance with applicable sections of the Code of Alabama.

ARTICLE XXIV

VACATION OF EASEMENT AND/OR RIGHT-OF-WAY

24-1 PROCEDURE

The City Council may, from time to time, after examination and review thereon, amend, supplement, or change the subdivision requirements in regard to easements and right-of-ways provided herein or subsequently established, whether initiated by the Planning Commission, or any person, firm, or a corporation shall be treated in accordance with the following procedure:

- (a) An application on the prescribed form shall be submitted in writing to the Department of Community Development thirty (30) days prior to the regularly scheduled meeting of the Planning Commission and must be accompanied by an adjacent property owners list, warranty deed (proof of ownership), legal description of subject property, current survey, and a map of the subject property.
- (b) The application shall be reviewed by the Planning Commission at its next regular meeting.
- (c) Said Commission before enacting any amendment to this Ordinance, a public hearing thereon shall be held by the Planning Commission with proper notice as required by law. Due notice shall also be given to the parties in interest of the date, time, and place of said hearing.

Said notice of a vacation of easement or right-of-way shall be published in full for one (1) insertion in a newspaper of general circulation published in the municipality prior to the said public hearing by the City Council.

- (d) Said easement or right-of-way shall be vacated and/or relocated upon the recommendation of the Planning Commission and the acceptance by resolution of the City Council.
- (e) Any petition for vacation of easement and/or right-of-way may be withdrawn prior to action thereon by the Planning Commission or City Council at the discretion of the owner, authorized representative, firm, or corporation initiating such a request upon written notice to the Planning Coordinator in the Department of Community Development or City Clerk in the City Clerk's Office, whichever is applicable.

Vacation of Right-of-Way process is governed by Code of Alabama Sections 23-4-20 and 35-2-54 and Article 24 of the Land Use & Development Ordinance.



Vacation of Easement Application

OFFICE USE ONLY	Application Number: VOE- 21:02	Date Submitted: 02/16/2021
Planning Commission Decision:		Date Presented: 03/25/2021
Date Submitted to City Clerk:		
Council Resolution Approval Date:		RESOLUTION NUMBER#

Legibly print or type responses below. Indicate N/A where item is not applicable.

Property Owner(s): Marcene Lake & Wayne Champeaux

If owner is an LLC or LLP, list managing member:

Mailing Address: 102 Briarcliff Circle Daphne, AL

Daytime Phone: 352-394-4518 Alternate Phone: 407-383-1950 Fax: wchampo@yahoo.com
maxloca3@yahoo.com

Location: Subdivision: Lake Forest Lot(s): 91 & 92 Unit or Phase: 7

Reason for request: Combining Lots (Re-plat)

To the best of your knowledge, are any utilities in the easement, including drainage ditches or pipes? no

Check each item included with this submittal:

- ☒ Petition
- ☒ Recorded Plat or copy of the filed document that created the easement
- ☒ Legal description of area to be vacated
- ☒ Current Survey showing the easement(s) proposed to be vacated. Label this drawing, "Exhibit A"
- ☒ Easement Release Form from:
 - ☒ City of Daphne Division of Public Works
 - ☒ Utilities Board of the City of Daphne (Daphne Utilities)
 - ☒ Utilities Board of the City of Foley (Riviera Utilities)
 - ☒ AT&T
 - ☒ Cable Company (Mediacom)
 - ☐ Other
 - ☒ Property Owners Association or similar body (if applicable)
- ☒ List of adjacent property owners. Also attach mailing address labels-1 set
- ☒ Fee

I hereby make application for vacation of certain easements on the above cited property. I understand that the City might not approve what I am applying for, or might set conditions on approval. All statements contained in this application are true to the best of my knowledge and belief. I have attached all documents listed above.

1st Owner's Signature/Date: Marcene M. Lake 01/29/21

2nd Owner's Name & Signature/Date: Wayne Champeaux 01/29/21

PETITION FOR VACATION OF EASEMENT

STATE OF ALABAMA)
COUNTY OF BALDWIN)
CITY OF DAPHNE)

TO THE HONORABLE MEMBERS OF THE CITY COUNCIL OF DAPHNE, ALABAMA:

The undersigned Marcene Lake & Wayne Champeaux is/are the owner(s) of said property and this is a statement and petition seeking vacation of certain drainage and utility easement(s). Aforesaid plat and/or restrictive covenants to said subdivision provides for drainage and utility easement(s) along lot lines. Owner(s) hereby petition, by the attached copies to vacate a certain drainage and utility easement(s) described as follows:

The 5 foot drainage and utility easement on each side of the lot line dividing Lot(s) 91 and 92, Unit 7 of Lake Forest Subdivision, as shown in Map Book 7, Page 94, Instrument# _____ in the Office of the Judge of Probate of Baldwin County, Alabama, said easements being located in Section 37, Township 4 South, Range 2 East.

All applicable utility providers in said subdivision, by instruments filed herewith, have consented to the vacation of said easement(s), and the hereinabove described portion of the said easement and the annulment of the dedication thereof as reflected on the said recorded plat and/or restrictive covenants.

The Petitioner further requests the Mayor and City Clerk be authorized and directed to execute a resolution which approves, ratifies, adopts, and confirms the vacation of the hereinabove described portion of the said easement.

IN WITNESS WHEREOF, the Petitioner(s) have hereto set their hand and seals on this the 29 day of JANUARY, 2021

OWNER(S) SIGNATURE:

Marcene M. Lake
Wayne Champeaux

STATE OF ALABAMA)
COUNTY OF BALDWIN)

I, the undersigned, a Notary Public in and for said County in said State hereby certify that Marcene Lake and Wayne Joseph Champeaux, whose name is signed to the foregoing instrument and who is known to me on this day that, being informed of the contents of said instrument they executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 29 day of January, 2021

Elizabeth Schaefer

Notary Public

My Commission Expires

8/10/2022

PERIMETER DESCRIPTION: LAKE FOREST - UNIT #7

CERTIFICATION:

I, THE UNDERSIGNED, HEREBY CERTIFY THAT I HAVE SUBDIVIDED THE LAND SHOWN ON THIS PLAT AND THAT THE COURSE AND DISTANCES AND OTHER DATA SHOWN ARE CORRECT AND TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Michael H. Powder
MICHAEL H. POWDER
REGISTERED LAND SURVEYOR
ALABAMA CERTIFICATION #14888 OCT 75

ACCEPTANCE:

THE UNDERSIGNED OWNERS OF THE LAND SHOWN ON THIS PLAT DO HEREBY DECLARE THIS TO BE A TRUE AND ACCURATE MAP OF LAKE FOREST AS DESCRIBED.

LAKE FOREST INC

ATTEST *Martha DeHouy*
MARSHALL OFFICE
- GREENE COUNTY -

PERSONALLY APPEARED BEFORE ME THE UNDERSIGNED AUTHORITY IN AND FOR THE AFORESAID COUNTY AND STATE, WILLIAM H. MAUGER, PRESIDENT OF LAKE FOREST INC., OWNER OF THE LAND PLATTED HEREIN, WHO ACKNOWLEDGED THAT HE SIGNED AND DELIVERED THE FOREGOING PLAT ON THE YEAR TWELVEN MENTIONED FOR AND ON BEHALF OF SAID CORPORATION.

WITNESS MY SIGNATURE June 4, 1971 AND SEAL OF OFFICE

Charles B. M. Michael
NOTARY PUBLIC - "STATE OF ALABAMA, OF CLIPPER"
MY COMMISSION EXPIRES: 5/24/71

LAKE FOREST
UNIT NO. 7

AUST • PONDER
ENGINEERING SURVEY
P.O. BOX 238 DAPHNE, ALA.

SCALE : 1" = 100'

00-1-9

635B

73

NOTE:

1. UNLESS OTHERWISE NOTED ALL-TURNOUT EASES: = 20' FOOT.
2. UNLESS OTHERWISE NOTED ALL LOTS HAVE A 30' FOOT DRAINAGE AND UTILITY EASEMENT ON SIDE LOT LINES.
3. UNLESS OTHERWISE NOTED ALL LOTS HAVE A 10' FOOT DRAINAGE AND UTILITY EASEMENT ON FRONT LOT LINES.
4. UNLESS OTHERWISE NOTED ALL LOTS HAVE A 10' FOOT DRAINAGE AND UTILITY EASEMENT ON REAR LOT LINES.

POINT OF BEGINNING WHICH IS 82.06 FEET NORTH
AND 781.28 FEET EAST OF THE SW CORNER
OF THE NW 1/4 OF SECTION 32, T4S, R2E.

Wayne Champeaux and Marcene Lake
Vacation of Easement
Lake Forest Subdivision, Unit 7, Lots 91 & 92

Description of Drainage & Utility Easement to be Vacated:

Commencing at the Northwest corner of Lot 92, Unit 7 of Lake Forest Subdivision as per its plat recorded in Map Book 7, Page 94 in the Judge of Probate's Office, Baldwin County, Alabama, run South 54 degrees 33 minutes 33 seconds West, along the common line between lot 91 and 92 of said Unit 7, a distance of 15 feet to the POINT OF BEGINNING of an easement being 5 feet each side of the following described line; thence continue South 54 degrees 33 minutes 33 seconds West , along said common lot line a distance of 102.43 feet to the POINT OF ENDING.

LEGAL DESCRIPTION OF LOTS

Lots 91 and 92, Unit 7 of Lake Forest Subdivision as per its plat recorded in Map Book 7, Page 94 in the Judge of Probate's Office, Baldwin County, Alabama

EASEMENT RELEASE FORM

WHEREAS, we the undersigned, CITY OF DAPHNE PUBLIC WORKS do hereby give our permission/consent to vacate the drainage and utility easement lines between Lot 91 and Lot 92 of Unit 7 of Lake Forest Subdivision as setforth in the attached exhibit with the following comments:

Comments

- ☒ No objections to the vacation(s) described above.
☐ No objections to the vacation(s) described above, provided the following described easements are retained.

- ☐ Objects to the vacation(s) described above, reason described below.

AGENCY NAME: CITY OF DAPHNE PUBLIC WORKS

By: Will Zj

Its: DEPUTY DIRECTOR

STATE OF ALABAMA)
COUNTY OF BALDWIN)

I, the undersigned, a Notary Public in and for said County and in said State hereby certify that William Eringman, whose name is signed to the foregoing instrument and who is known to me on this day that, being informed of the contents of said instrument they executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 2nd day of February, 2021

[Signature]
Notary Public

My Commission Expires 07/29/2023

EASEMENT RELEASE FORM

WHEREAS, we the undersigned, Daphne Utilities, do hereby give our permission/consent to vacate the drainage and utility easement lines between Lot 91 and Lot 92 of Unit 7 of Lake Forest Subdivision as set forth in the attached exhibit with the following comments:

Comments

- ☒ No objections to the vacation(s) described above.
☐ No objections to the vacation(s) described above, provided the following described easements are retained.

- ☐ Objects to the vacation(s) described above, reason described below.

AGENCY NAME: Daphne Utilities

By: Johnny Grimes

Its: Compliance Supervisor

STATE OF ALABAMA)
COUNTY OF BALDWIN)

I, the undersigned, a Notary Public in and for said County and in said State hereby certify that JOHNNY GRIMES, whose name is signed to the foregoing instrument and who is known to me on this day that, being informed of the contents of said instrument they executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 9TH day of FEBRUARY 2021

Kelly Delaney

Notary Public

My Commission Expires

My Commission Expires;
November 14, 2022

EASEMENT RELEASE FORM

WHEREAS, we the undersigned, Riviera Utilities, do hereby give our permission/consent to vacate the drainage and utility easement lines between Lot 91 and Lot 92 of Unit 7 of Lake Forest Subdivision as setforth in the attached exhibit with the following comments:

Comments

- ☒ No objections to the vacation(s) described above. Utility easement only
- ☐ No objections to the vacation(s) described above, provided the following described easements are retained.

Riviera gives permission to vacate utility easement only.

- ☐ Objects to the vacation(s) described above, reason described below.

AGENCY NAME: Riviera Utilities
By: Jesse Snyper
Its: Engineering dep.

STATE OF ALABAMA)
COUNTY OF BALDWIN)

I, the undersigned, a Notary Public in and for said County and in said State hereby certify that Jesse Fegua, whose name is signed to the foregoing instrument and who is known to me on this day that, being informed of the contents of said instrument they executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 15 day of Feb, 2021

[Signature]
Notary Public

My Commission Expires 12-05-2021

EASEMENT RELEASE FORM

WHEREAS, we the undersigned, AT&T - Alabama, do hereby give our permission/consent to vacate the drainage and utility easement lines between Lot 91 and Lot 92 of Unit 7 of Lake Forest Subdivision as set forth in the attached exhibit with the following comments:

Comments

- ☒ No objections to the vacation(s) described above.
☐ No objections to the vacation(s) described above, provided the following described easements are retained.

- ☐ Objects to the vacation(s) described above, reason described below.

AGENCY NAME: AT&T - Alabama

By: [Signature]

Its: Outside Plant Engineer

STATE OF ALABAMA)
COUNTY OF BALDWIN)

I, the undersigned, a Notary Public in and for said County and in said State hereby certify that Wade Mitchell, whose name is signed to the foregoing instrument and who is known to me on this day that, being informed of the contents of said instrument they executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 3rd day of February 2021

Katherine Robinson
Notary Public

My Commission Expires 12/14/2021



EASEMENT RELEASE FORM

WHEREAS, we the undersigned, MediaCom, do hereby give our permission/consent to vacate the drainage and utility easement lines between Lot 91 and Lot 92 of Unit 7 of Lake Forest Subdivision as set forth in the attached exhibit with the following comments:

Comments

- ☒ No objections to the vacation(s) described above.
☐ No objections to the vacation(s) described above, provided the following described easements are retained.

- ☐ Objects to the vacation(s) described above, reason described below.

AGENCY NAME: Mediacom
By: Jabz
Its: _____

**STATE OF ALABAMA)
COUNTY OF BALDWIN)**

I, the undersigned, a Notary Public in and for said County and in said State hereby certify that Tobias Eringman, whose name is signed to the foregoing instrument and who is known to me on this day that, being informed of the contents of said instrument they executed the same voluntarily on the day the same bears date.



Given under my hand and seal on this the 2nd day of Feb., 2021

Tiffany M. Ricketts
Notary Public
My Commission Expires Mar 23, 2021

EASEMENT RELEASE FORM

WHEREAS, we the undersigned, Lake Forest Property Owners Assoc do hereby give our permission/consent to vacate the drainage and utility easement lines between Lot 91 and Lot 92 of Unit 7 of Lake Forest Subdivision as setforth in the attached exhibit with the following comments:

Comments

- ☒ No objections to the vacation(s) described above.
☐ No objections to the vacation(s) described above, provided the following described easements are retained.

- ☐ Objects to the vacation(s) described above, reason described below.

AGENCY NAME: Lake Forest Property Owner Assoc.

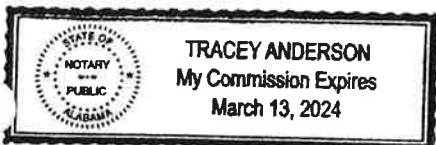
By: Architectural Dept.

Its: Stephanie Cochran

STATE OF ALABAMA)
COUNTY OF BALDWIN)

I, the undersigned, a Notary Public in and for said County and in said State hereby certify that Stephanie Cochran, whose name is signed to the foregoing instrument and who is known to me on this day that, being informed of the contents of said instrument they executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 2 day of February 2021



Tracey Anderson
Notary Public
My Commission Expires 3-13-24

Adjacent Property Owner's List
For
Lake Champeaux Estate

MARCENE LAKE & WAYNE CHAMPEAUX
102 BRIARCLIFF CIR
DAPHNE AL 36526

JOHN MICHAEL NAPPER
7328 J V CUMMINGS DR
FAIRHOPE AL 36532

JAMES K JR & DEBORAH H WARD,
104 BRIAR CLIFF CR
DAPHNE AL 36526

LAKE FOREST PROP OWNERS ASSOC
P O BOX 1087
DAPHNE AL 36526

ROBIN LEJEUNE
MAYOR

ADRIENNE D. JONES, AICP,
COMMUNITY DEVELOPMENT
DIRECTOR/ZONING ADMINISTRATOR



CITY COUNCIL
TOMMIE CONAWAY
DISTRICT 1
STEVE OLEN
DISTRICT 2
JOEL COLEMAN
DISTRICT 3
DOUG GOODLIN
DISTRICT 4
RON SCOTT
DISTRICT 5
BENJAMIN HUGHES
DISTRICT 6
ANGIE PHILLIPS
DISTRICT 7

March 12, 2021

NOTICE OF PUBLIC HEARING

A petition for VACATION OF EASEMENT will be considered by the Daphne Planning Commission for the five-foot drainage easement on each side of Lots 91 and 92, Lake Forest Subdivision, Unit 7 as shown on Slide No. 635-A and 635-B in the Office of the Judge of Probate, Baldwin County, Alabama. Said property is zoned R-3, High Density Single Family Residential.

Said petition will also be considered by the Daphne City Council pursuant to Alabama Code 11-52-79. The application is available for review at City Hall in the Department of Community Development, 1705 Main Street, during regular business hours. An informal site preview meeting will be held on Wednesday, March 17, 2021 at 8:30 a.m. in the Council Chambers of City Hall. The public is invited to attend: limited participation may be allowed by the chairman.

The public hearing will be held by the Daphne Planning Commission on Thursday, March 25, 2021 at 5:00 p.m. in the Council Chambers of City Hall. You may submit your views in writing, in person, by fax or by representation.

Sincerely,
Adrienne D. Jones, AICP,
Director of Community Development

Wayne Champeaux & Marcene Lake Vacation of Easement

P. O. Box 400 - Daphne, Alabama 36526
Phone: 251.620.1700

Wayne Champeaux and Marcene Lake
Vacation of Easement
Lake Forest Subdivision, Unit 7, Lots 91 & 92

Description of Drainage & Utility Easement to be Vacated:

Commencing at the Northwest corner of Lot 92, Unit 7 of Lake Forest Subdivision as per its plat recorded in Map Book 7, Page 94 in the Judge of Probate's Office, Baldwin County, Alabama, run South 54 degrees 33 minutes 33 seconds West, along the common line between lot 91 and 92 of said Unit 7, a distance of 15 feet to the POINT OF BEGINNING of an easement being 5 feet each side of the following described line; thence continue South 54 degrees 33 minutes 33 seconds West , along said common lot line a distance of 102.43 feet to the POINT OF ENDING.

LEGAL DESCRIPTION OF LOTS

Lots 91 and 92, Unit 7 of Lake Forest Subdivision as per its plat recorded in Map Book 7, Page 94 in the Judge of Probate's Office, Baldwin County, Alabama

CITY OF DAPHNE, ALABAMA

RESOLUTION 2021-10

Resolution in Opposition of the Proposed Urban Area Designation Criteria

WHEREAS, the MPO was formed in 2012 to assist with transportation planning in the defined urbanized area in Baldwin County which includes the City of Spanish Fort, the City of Fairhope, the City of Daphne, the Town of Loxley, and the unincorporated areas of Baldwin County; and

WHEREAS, the MPO receives federal funding to plan and implement road and bridge projects, public transit, bicycles and pedestrians, freight, and other modes of transportation to accommodate the area's growth; and

WHEREAS, the U.S. Census Bureau has proposed changes to the Urban Area Designation Criteria for 2020 Census; and

WHEREAS, the following proposed changes could potentially impact the Eastern Shore MPO:

- Housing unit density equal to 1,000 persons/square mile threshold,
- Qualify urban areas based on a minimum threshold of 4,000 housing units or 10,000 persons instead of a minimum threshold of 2,500 persons,
- Maximum distances of jumps,
- No longer distinguishing between types of urban areas,
- No longer include the low density hop or jump "corridor" in the urban area,
- No longer include low-density territory located within indentations formed during the urban area delineation process, and

WHEREAS, the proposed changes listed above raise serious concerns with significantly reducing or possibly eliminating the Eastern Shore as an urbanized area; now

THEREFORE, BE IT RESOLVED that the City of Daphne hereby strongly opposes the proposed Urban Area Designation Criteria and urges the U.S. Census Bureau to reject the proposal.

ADOPTED AND APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA ON THIS THE ____ DAY OF _____, 2021.

Robin LeJeune Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2021-13**

APPROPRIATION: ADDITIONAL PUBLIC WORKS CAPITAL EQUIPMENT

WHEREAS, Ordinance 2020-32 approved and adopted the Fiscal Year 2021 Budget on September 21, 2020; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2021 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2021 budget; and

WHEREAS, the Public Works department is in need of a 23 HP trailer mounted pressure washer and a front mount turbine blower to better assist with maintenance across the City; and

WHEREAS, the Public Works department has obtained quotes for these pieces of equipment and has determined that the front mount turbine blower will cost \$5,950 and the trailer mount pressure washer will cost \$19,995.

WHEREAS, an additional appropriation is needed to purchase these pieces of equipment.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, that

- 1) Funds in the amount of **\$26,000** from the **General Fund** are hereby appropriated and made a part of the Fiscal Year 2021 Budget for the purchase of equipment to be used by the Public Works department.
- 2) The Mayor is hereby authorized to execute any and all documents required for the purchase of the equipment.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ DAY OF _____, 2021.

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2021-14**

APPROPRIATION: FIRE STATION #5 ACCESS CONTROL PROJECT

WHEREAS, Ordinance 2020-32 approved and adopted the Fiscal Year 2021 Budget on September 21, 2020; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2021 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2021 budget; and

WHEREAS, the construction of Fire Station #5 has been completed and a proper access control system is needed for the building to ensure property safety and security; and

WHEREAS, quotes have been obtained and the total cost for the purchase and installation of the system (including a contingency for unforeseen items) is estimated to cost \$15,000.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, that

- 1) Funds in the amount of **\$15,000** from the **General Fund** are hereby appropriated and made a part of the Fiscal Year 2021 Budget for the purchase and installation of the access control system at Fire Station #5.
- 2) The Mayor is hereby authorized to execute any and all documents required for the Fire Station #5 access control project.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ DAY OF _____, 2021.

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2021-15**

ADDITIONAL APPROPRIATION: CITY HALL PARKING LOT ADDITION

WHEREAS, Ordinance 2020-32 approved and adopted the Fiscal Year 2021 Budget on September 21, 2020; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2021 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2021 budget; and

WHEREAS, parking lot and drainage improvements are needed at City Hall for safety and maintenance purposes; and

WHEREAS, the City Hall parking project was previously bid and awarded and monies in the amount of \$9,800 (*Ordinance 2020-20*) and \$327,886 (*Ordinance 2020-42*) were appropriated for design fees and construction of the project; and

WHEREAS, an additional appropriation is needed in the amount of \$60,000 for lighting and additional change orders needed to complete the construction phase of the project.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, that funds in the amount of **\$60,000** from the **General Fund** are hereby appropriated and made a part of the Fiscal Year 2021 Budget for the City Hall Parking Lot Addition project.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ DAY OF _____, 2021.

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk

**CITY OF DAPHNE
ORDINANCE 2021-16**

FISCAL YEAR 2021 MID-YEAR PERSONNEL ADJUSTMENTS

WHEREAS, Ordinance 2004-52 as adopted January 3, 2005 established the City of Daphne Job Classification Plan; and

WHEREAS, Ordinance 2020-32 approved and adopted the Fiscal Year 2021 Budget on September 21, 2020; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2021 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2021 budget; and

WHEREAS, it is in the best interest of the City to make changes to the personnel and classification plan as follows; and

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Daphne, Alabama, to finalize the midyear personnel changes and amend the Job Classification schedule as follows:

1. The Fiscal Year 2021 Classification Schedule is hereby amended to add two new classifications: City Engineer and I.T. Systems Administrator; and
2. A City Engineer is hereby added as a Grade 37 Exempt position, and a I.T. Systems Administrator is hereby added as a Grade 22 Exempt position; and
3. To accommodate the increased cost of the FY21 payroll budget, the budget is hereby updated with the appropriation amount of \$2,667 for the reclassification of the current Information Technology Technician to the I.T. Systems Administrator and \$42,862 for the new position of City Engineer.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ DAY OF _____, 2021.

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2021-17**

**Ordinance to Re-Zone Property Located South of and adjacent to French Settlement
Subdivision; northwest of Parker Lane and County Road 13
Destiny Church International, Inc.**

WHEREAS, Destiny Church International, Inc., as the owner of certain real property located within the City of Daphne, has requested that said property that is currently zoned R-2, Medium Density Single Family Residential, R-3, High Density Single Family Residential & R-4, High Density Single Family Residential, be re-zoned as R-3, High Density Single Family Residential & R-6 (G) Garden/Patio District; and

WHEREAS, said real property is located at South of and adjacent to French Settlement Subdivision; northwest of Parker Lane and County Road 13, and more particularly described as follows:

Legal Description of Property to be Re-Zoned to R-3, High Density Single Family Residential & R-6 (G) Garden/Patio District is on file in the City Clerk's office at Daphne City Hall.

WHEREAS, at the regular Planning Commission meeting on January 28, 2021, the Commission considered said request and set forth a favorable recommendation; and,

WHEREAS, due notice of said proposed re-zoning has been provided to the public as required by law through publication and open display at the Daphne Public Library and City Hall, and a public hearing was held before the City Council on April 5, 2021; and,

WHEREAS, the City Council of the City of Daphne, after due consideration and upon consideration of the recommendation and notes of the Planning Commission, deemed that said application for re-zoning of the above described real property is proper and in the best interest of the health, safety, and welfare of the citizens of the City of Daphne, Alabama; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, as follows:

SECTION I: ZONING

The above described real property is hereby re-zoned from R-2, Medium Density Single Family Residential, R-3, High Density Single Family Residential & R-4, High Density Single Family Residential, to R-3, High Density Single Family Residential & R-6 (G) Garden/Patio District, and the zoning ordinance and zoning map shall be amended to reflect the said zoning change.

SECTION II: REPEALER.

All other City Ordinances or parts thereof in conflict with the provisions of this Ordinance, in so far as they conflict, are hereby repealed.

SECTION III: SEVERABILITY.

The provisions of this Ordinance are severable. If any provision, section, paragraph, sentence, or part thereof shall be held unconstitutional or invalid, such decision shall not affect or

impair the remainder of said Ordinance, it being the legislative intent to ordain and enact each provision, section, paragraph, sentence, and part thereof separately and independently of each other.

SECTION IV: EFFECTIVE DATE AND REVERSION.

This Ordinance shall take effect and be in force from and after the date of its approval by the City Council of the City of Daphne and after publication as required by law. This zoning classification is subject to a two (2) year reversionary clause. Two years from the date this Ordinance is enacted, if the site development has not started for the purpose listed herein, the zoning shall be null and void and the property shall revert to the prior zoning district. Refer to Section 22-2, Reversionary Clause, of the Daphne Land Use and Development Ordinance.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS 4th DAY OF January, 2021.

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk