

CITY OF DAPHNE
1705 MAIN STREET, DAPHNE, AL
CITY COUNCIL BUSINESS MEETING AGENDA
Monday, July 18, 2022
6:00 P.M.

1. CALL TO ORDER

2. ROLL CALL

INVOCATION Linda Bayers, The Joy of Life Fellowship
PLEDGE OF ALLEGIANCE

PUBLIC HEARING: KJC Investments, L.L.C., Pre-Zoning Amendment located Southeast of the intersection of County Road 64 and Friendship Road. 4

PUBLIC HEARING: KJC Investments, L.L.C., Zoning Amendment located Southeast of the intersection of County Road 64 and Friendship Road. 19

PUBLIC HEARING: KJC Investments, L.L.C. Annexation Petition located Southeast of the intersection of County Road 64 and Friendship Road. 31

PUBLIC HEARING: Olde Town Properties, L.L.C., Zoning Amendment located Southwest of Van and Main Street. 43

PUBLIC HEARING: Official City of Daphne Zoning Map Update 64

3. APPROVE MINUTES: July 5, 2022 regular meeting 67

4. REPORTS OF STANDING COMMITTEES

A. FINANCE COMMITTEE – Conaway

MOTION to add a Kennel Technician position to the Classification and Compensation Plan to move the FY 2022 remaining budgeted payroll funds from the Part Time Animal Control Officer position to the Kennel Technician position.

MOTION to amend the FY 2022 payroll budget to upgrade three (3) firefighter positions to three (3) fire medic positions once the proper certification has been received.

B. BUILDINGS & PROPERTY COMMITTEE – Phillips

C. PUBLIC SAFETY COMMITTEE – Hughes

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE – Olen

E. PUBLIC WORKS COMMITTEE – Goodlin

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS

A. BOARD OF ZONING ADJUSTMENTS – Adrienne Jones

B. DOWNTOWN REDEVELOPMENT AUTHORITY – Conaway

C. INDUSTRIAL DEVELOPMENT BOARD – Scott

City Council Agenda – July 18, 2022

D.	LIBRARY BOARD –Phillips	
E.	PLANNING COMMISSION – Olen	
F.	RECREATION BOARD – Hughes	
G.	UTILITY BOARD – Coleman	
6.	PUBLIC PARTICIPATION	
7.	MAYOR’S REPORT	
8.	CITY ATTORNEY REPORT	
9.	DEPARTMENT HEAD REPORTS	
10.	CITY CLERK’S REPORT	
	MOTION to approve the Apollo’s Mystic Ladies Mardi Gras Parade on February 10, 2023 from 6:45 – 8:30pm with a rain makeup date of February 16, 2023.	72
11.	RESOLUTIONS & ORDINANCES	
A.	RESOLUTIONS:	
	2022 – 42 – Request for Proposals Regarding Self-Funded Health Insurance Plan	75
B.	2nd READ ORDINANCES:	
	2022 – 40 – Appropriation: 2022 – S – Drainage Improvements at Lakeshore Drive – Negotiated-\$969,376	76
	2022 – 41 – Appropriation: 2022 – T – D’Olive Bay Boat Launch - \$556,565	77
	2022 – 42 – Appropriation: Retiree One-Time Lump Sum Payments - \$46,992	78
	2022 – 43 – Appropriation: Outdoor Fitness Court at Trione Park - \$100,000	79
	2022 – 44 – Ordinance Consenting to and Accepting the Conveyance of Certain Real Property by the Utilities Board of the City of Daphne to the City of Daphne	80
	1ST READ ORDINANCES:	
	2022 – 45 – Ordinance Consenting to the Sale by the Utilities Board of the City of Daphne of Certain Surplus Personal Property	82
	2022 – 46 – Ordinance to Amend and Make Additions to the City’s Employee Handbook	85
	2022 – 47 – Ordinance to Pre-Zone Property Located Southeast of the Intersection of County Road 64 and Friendship Road – KJC Investments, L.L.C.	90
	2022 – 48 – Ordinance to Re-Zone Property Located Southeast of the Intersection of County Road 64 and Friendship Road – KJC Investments, L.L.C.	93

City Council Agenda – July 18, 2022

2022 – 49 – Ordinance to Annex Property Contiguous to the Corporate Limits of the City of Daphne Located Southeast of the Intersection of County Road 64 and Friendship Road – KJC Investments, L.L.C. 96

2022 – 50 – Ordinance to Re-Zone Property Located Southwest of Van and Main Street 99

2022 – 51 – Revisions to the City of Daphne Land Use and Development Ordinance – Zoning District Map 101

12. COUNCIL COMMENTS

13. ADJOURN



**COMMUNITY DEVELOPMENT
INTERNAL MEMORANDUM**

DATE: May 31, 2022
TO: Office of the City Clerk *Adj*
FROM: Adrienne Jones, AICP, Director of Community Development
SUBJECT: KJC Investments, L.L.C. Pre-Zoning Amendment

PRESENT ZONING: B-1, Professional Business, B-2, Neighborhood Business, and RSF-2, Residential Single Family, Baldwin County District 15, in the Extraterritorial Planning Jurisdiction of Daphne

PROPOSED PRE-ZONING: B-2, General Business

LOCATION: Southeast of the intersection of County Road 64 and Friendship Road

RECOMMENDATION: At the May 24, 2022 regular meeting of the City of Daphne Planning Commission, seven 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

1. Community Development Report and Supplemental Documents
2. Pre-zoning Application
3. Legal Description (Exhibit A)
4. Boundary Survey (Exhibit B)
5. Adjacent Property Owners List

KJC INVESTMENTS, LLC

PREZONING



Zoning Classification:

Baldwin County – B-1, Professional Business, B-2, Neighborhood Business, RSF-2, Residential

Surrounding Zonings/Uses:

- **North**—B-2, General Business, B-1, Professional Business (ETJ)
- **South**—R-A, Rural Agricultural (ETJ)
- **West**—B-2, General Business and B-1, Local Business
- **East**— B-1, Professional Business

Existing Utility Service Providers: Belforest Water, Riviera Utilities, AT&T, Daphne Utilities

Affected City Service Providers: Fire Station 5, Police Beat 1

Staff Recommendation to PC: *Favorable*

Proposed Zoning:

B-2, General Business

Development Concept:

Commercial Multi-Tenant

Council District:

4

Existing Conditions:

52.48 ac

Planning Commission

5/26/22 Unanimously favorable

The Comprehensive Plan:

The comprehensive plan's overarching policy regarding land development encourages harmony and compatibility. The following are some Land Use Goals and Objectives from the Plan.

Goal: Provide a land use plan for the City of Daphne, which supports the City's economic development, housing, transportation, and open space, recreation, and education goals in a manner that maintains and promotes Daphne's unique image and quality of life. Objective: Encourage development of sound and cohesive residential areas which meet the housing needs of current and potential residents.

Goal: Grow sensibly by anticipating land use needs. Objective: Promote and manage growth on undeveloped lands in a manner that will be compatible with, and complementary to, existing adjacent developed properties. Objective: Encourage planned unit developments which are beneficial to residents and which creatively take advantage of available properties that otherwise would not be developed. Objective: Protect and preserve the character of Daphne through review of new developments, the encouragement of growth that enhances the community spirit, and through aesthetic considerations. Objective: Integrate recreational resources with residential neighborhoods to insure that all portions of Daphne's population have convenient access to parks and open space. Promote clustered commercial development in defined areas.

PROPOSAL:

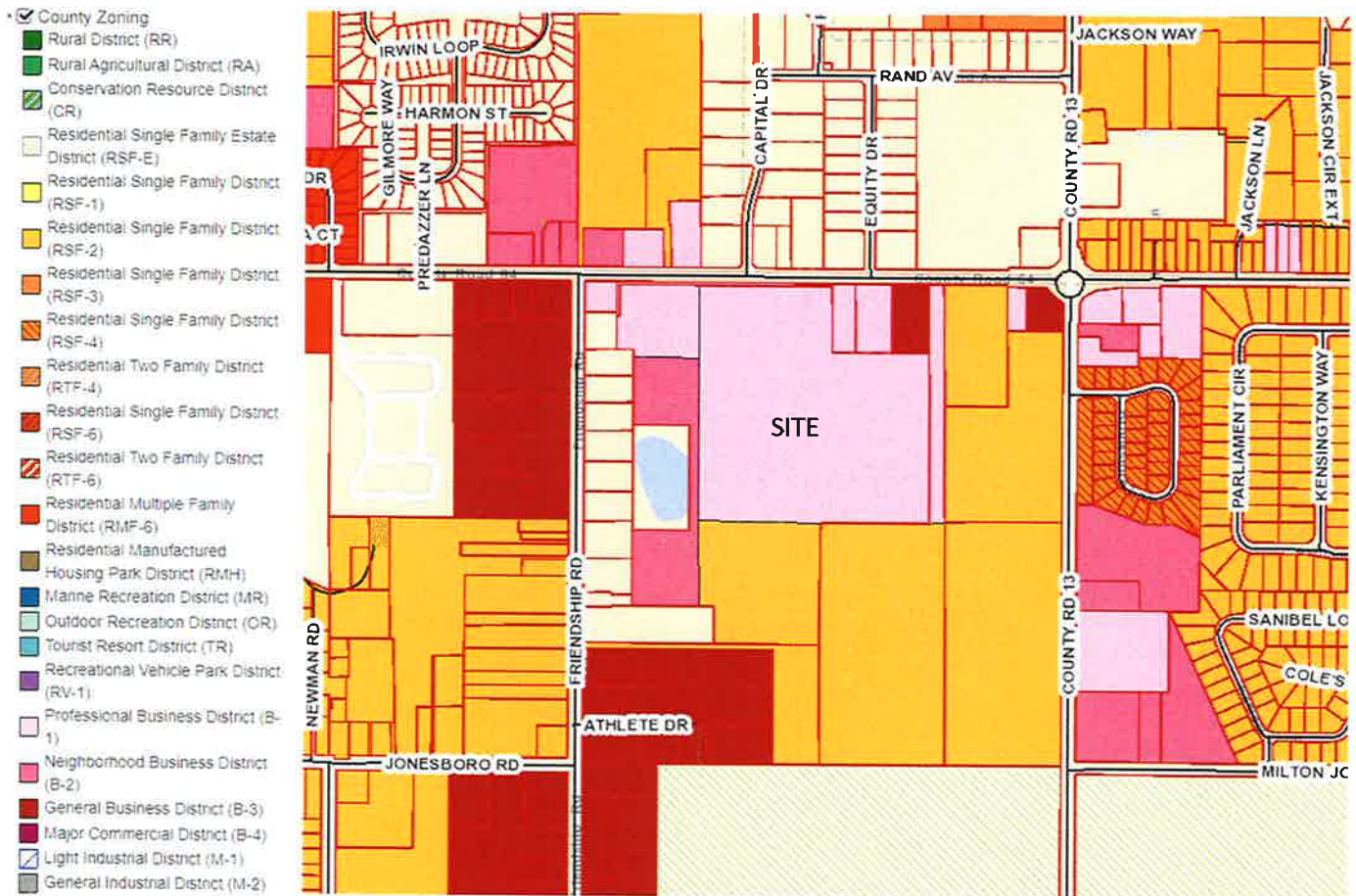
The applicant proposes to pre-zone the subject property to B-2, General Business. No proposed development plan has been submitted to support the application. The land adjoins several existing land uses a funeral home, an office, a gym, a residence, a church, undeveloped land in a commercial subdivision, and Bayside Academy's sports fields.

The site is adjacent to Italian Settlement Business Park which is located to the west of the subject property. That land (to the west) was originally zoned and annexed as B-1, Local Business. 10 years later, Italian Settlement was rezoned to B-2, General Business. Land located to the northeast was recently annexed and zoned B-2, General Business on January 3, 2022. B-2 zoning is consistent with the adjacent parcels that are inside the corporate limits as well as the land to the north located in Austin Place Commercial Park (across County Road 64).

RECOMMENDATIONS:

Staff offers a favorable recommendation due to the proximity to B-2 zoned property and in light of the information provided regarding the future use of the property. On 5/26/22 , ***the Planning Commission rendered a unanimously favorable recommendation to Council for approval of the proposed zoning.***

County Zoning Map Excerpt does not reflect recent annexation of land into the city.



CITIZEN PARTICIPATION:

One letter of opposition was presented and is included for review. The land owner also presented these concerns in person to the Planning Commission.

March 21, 2022

Adrienne D. Jones, AICP
Director, Community Development
1705 Main Street
Daphne, AL 36526

Dear Ms. Jones,

We received your letter concerning the pre-zoning of 52.48 acres as General Business for KJC Investments, L.L.C. located southeast of the Intersection of County Road 64 and Friendship Road. Our property located at 25604 Friendship Road, Daphne, AL 36526 runs adjacent to the south side of that acreage. We have owned this property since 2001 and express a number of concerns regarding the commercial use of the above agricultural land.

We have always appreciated the privacy afforded by the agricultural use and have reservations as to how the developer proposes to provide privacy fencing with landscaping along the adjoining line of the development. Also we feel it is reasonable to request a 50 foot buffer zone along the southern line parallel to our property. Another concern would be that our private driveway would become an easy access/egress for vehicles wishing to vacate the proposed development.

We respectfully request that the Planning Commission receive copies of this letter, and are willing to meet and talk with relevant parties pertaining to this matter.

Sincerely,

Donna and Noel Eagleson
25604 Friendship Road
Daphne, AL 36526

Donna's email: donnahare71@hotmail.com
Noel's email: noeagleson@gmail.com

Donna's phone: (251) 421-3896
Noel's phone: (251) 404-3216

APPLICATION & SUPPLEMENTAL INFORMATION



APPLICATION FOR REZONING OR PRE-ZONING

Office use only: Rev. 072816

Application Number:

ZA- or PZA- 22-02

Date Submitted

Feb. 24, 22

Planning Commission Public

Hearing Date:

~~April 28, 2022~~

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

~~March 24, 22~~
May 26, 2022

SITE DATA

Site Location (Address or General Proximity to Nearest Intersection):

KJC Investments, LLC

PPIN#(s): 010505

Gross Site Area (acreage): **52.48**

Requested Zoning or Pre-Zoning: **B-2**

Current Zoning Designation(s):

B1, B2 & RSF-2

Amended Request:

Initials:

Date:

Current Land Use: **Vacant**

Anticipated Land Use:

Commercial Multi tenant

Provide Legal Description (if necessary attach separate page entitled "Legal Description for [Name of Applicant]":

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

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: **KJC Investments, LLC**

Mailing Address: **27180 Pollard Rd. Daphne, AL 36526**

251-625-1198

Phone/Fax: **permitting@terraco**
E-mail: **rededv.com**

Name of Authorized Agent: **JADE Consulting, LLC**

Mailing Address: **208 N. Greeno Rd., Ste. C, Fairhope, AL 36532**

251-928-3443

Phone/Fax: **tjinright@jadengineer**
E-mail: **s.com**

Name of Developer*:

KJC Investments, LLC

Phone/Fax:
E-mail:

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: Kirby J. Coy

Date 2/24/2022

Agent's Signature:

Date

52.48 ACRE PARCEL

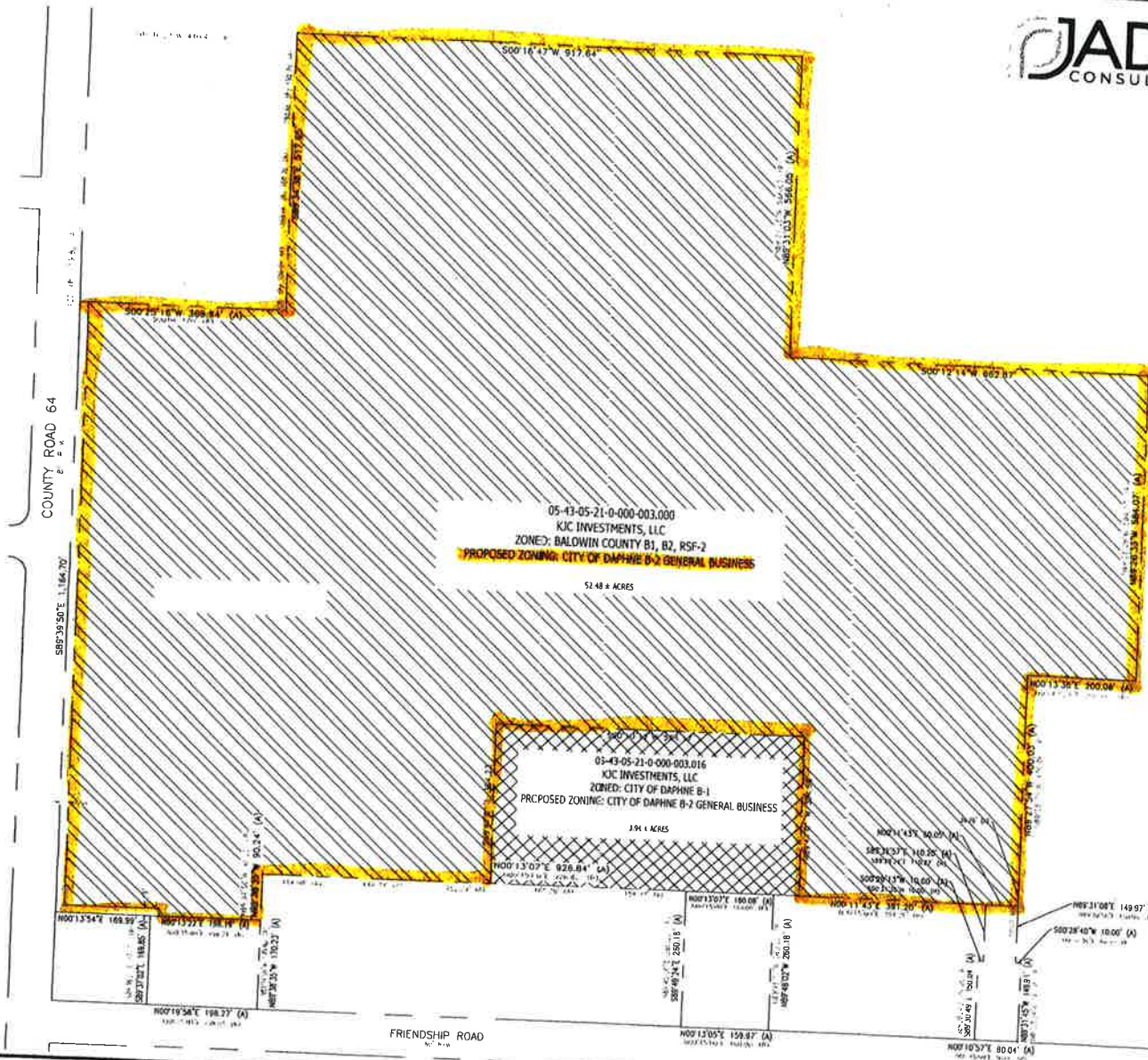
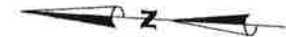
STATE OF ALABAMA
COUNTY OF BALDWIN

COMMENCING AT THE NORTHEAST CORNER OF SECTION 21, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 89°-37'-55" WEST A DISTANCE OF 756.54 FEET; THENCE RUN SOUTH 00°-16'-21" WEST A DISTANCE OF 410.42 FEET TO A CAPPED REBAR (GARSE) AT THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL: THENCE RUN SOUTH 00°-16'-47" WEST A DISTANCE OF 917.64 FEET TO A CAPPED REBAR (ILLEGIBLE); THENCE RUN NORTH 89°-31'-03" WEST A DISTANCE OF 566.05 FEET TO A CAPPED REBAR (ILLEGIBLE); THENCE RUN SOUTH 00°-12'-14" WEST A DISTANCE OF 662.87 FEET TO A CAPPED REBAR (10675) AT THE NORTHEAST CORNER OF LOT 4, TRIONE TRACE, AS RECORDED ON SLIDE 1594-A OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 89°-28'-33" WEST ALONG THE NORTH LINE OF SAID LOT 4 A DISTANCE OF 584.07 FEET TO A CAPPED REBAR (0089LS) AT THE SOUTHEAST CORNER OF LOT 10-A, AMENDED PLAT, ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1, REPLAT OF LOT 10, AS RECORDED ON SLIDE 2778-F OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 00°-13'-38" EAST ALONG THE EAST LINE OF SAID LOT 10-A A DISTANCE OF 200.06 FEET TO A CAPPED REBAR (HMR) AT THE NORTHEAST CORNER OF SAID LOT 10-A; THENCE RUN NORTH 89°-27'-54" WEST ALONG THE NORTH LINE OF SAID LOT 10-A A DISTANCE OF 400.03 FEET TO A CAPPED REBAR (HMR); THENCE RUN NORTH 89°-31'-08" WEST ALONG THE NORTH LINE OF SAID LOT 10-A A DISTANCE OF 39.76 FEET TO A CAPPED REBAR (HMR) AT THE SOUTHEAST CORNER OF A PARCEL LABELED "RESERVED FOR FUTURE RIGHT-OF-WAY AS SHOWN ON THE PLAT OF ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1, AS RECORDED ON SLIDE 2439-D OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 00°-11'-43" EAST ALONG THE EAST LINE OF SAID ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1 A DISTANCE OF 404.37 FEET; THENCE RUN SOUTH 89°-47'-01" EAST A DISTANCE OF 304.69 FEET; THENCE RUN NORTH 00°-10'-12" EAST A DISTANCE OF 564.17 FEET; THENCE RUN NORTH 89°-47'-01" WEST A DISTANCE OF 304.23 FEET TO THE EAST LINE OF SAID ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1; THENCE RUN NORTH 00°-13'-07" EAST ALONG THE EAST LINE OF SAID ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1 A DISTANCE OF 409.55 FEET TO A CAPPED REBAR (HMR) AT THE NORTHEAST CORNER OF LOT 2 OF SAID ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1; THENCE RUN NORTH 89°-38'-35" WEST ALONG THE NORTH LINE OF SAID LOT 2 A DISTANCE OF 90.24 FEET TO A CAPPED REBAR (ILLEGIBLE) AT THE SOUTHEAST CORNER OF LOT 1 OF SAID ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1; THENCE RUN NORTH 00°-13'-22" EAST ALONG THE EAST LINE OF SAID LOT 1 A DISTANCE OF 183.19 FEET; THENCE RUN SOUTH 89°-37'-02" EAST A DISTANCE OF 15.00 FEET; THENCE RUN NORTH 00°-13'-54" EAST A DISTANCE OF 170.00 FEET; THENCE RUN SOUTH 89°-39'-50" EAST ALONG A LINE 15 FEET SOUTH OF AND PARALLEL WITH THE SOUTH RIGHT-OF-WAY LINE OF COUNTY ROAD 64 (80' R/W) A DISTANCE OF 1,149.65 FEET; THENCE RUN SOUTH 00°-25'-16" WEST A DISTANCE OF 354.94 FEET TO A 1/2" REBAR; THENCE RUN SOUTH 89°-34'-38" EAST A DISTANCE OF 517.65 FEET TO THE POINT OF BEGINNING. THE DESCRIBED PARCEL CONTAINS 52.48 ACRES, MORE OR LESS.



JINRIGHT & ASSOCIATES DEVELOPMENT ENGINEERS
 208 Green Road N., Ste. C Fairhope, Alabama 36532
 P.O. Box 1929 Fairhope, Alabama 36533
 Phone: (251) 928-3443 Fax: (251) 928-3665
 jadengineers.com

DATE: 2/24/2022



LEGEND



ANNEX TO CITY OF DAPHNE AND ZONE
 B-2 GENERAL BUSINESS



REZONE TO CITY OF DAPHNE B-2
 GENERAL BUSINESS

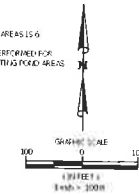
PROPOSED ZONING MAP:
 APPROX. 56.42 ACRES
 COUNTY ROAD 64
 AND
 FRIENDSHIP ROAD
 DAPHNE, AL



Jinaghi & Associates Development Engineers
 205 Genesis Road 11, Ste C Fairhope, Alabama 36532
 P.O. Box 3920 Fairhope, Alabama 36533
 Phone: (251) 926-3443 Fax: (251) 926-3465
 jadeengineers.com

NOTES:

1. MINIMUM SIDEWALK WIDTH IN ALL COMMERCIAL AREAS IS 6'
2. SITE WILL NEED A HISTORICAL DOCUMENTATION PERFORMED FOR JURISDICTIONAL DETERMINATION ON THE EXISTING POND AREAS



LEGEND

- PROPERTY LINE
- PROPOSED ASPHALT
- PROPOSED GRAVEL SERVICE YARD
- PROPOSED GRAVEL SERVICE YARD
- PROPOSED GRAVEL SERVICE YARD

COMMERCIAL DEVELOPMENT CONCEPT
 APPROX. 60.73 ACRES
 PROPOSED COMMERCIAL DEVELOPMENT
 FRIENDSHIP ROAD & CR 64
 DAPHNE, AL

DATE: 05/12/22

COMMUNITY DEVELOPMENT



March 11, 2022

Dear Sir/Ma'am,

NOTICE OF PUBLIC HEARING

A petition for PRE-ZONING will be considered by the Daphne Planning Commission for KJC Investments, L.L.C. containing 52.48 acres +/- located southeast of the intersection of County Road 64 and Friendship Road, zoned B-1, Professional Business, B-2, Neighborhood Business, and RSF-2, Single Family Residential, Baldwin County District 15, in the Extraterritorial Planning Jurisdiction, to be pre-zoned as B-2, General Business. A petition to annex said property has also been submitted.

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, March 16, 2022 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 chairwoman.

The public hearing will be held by the Daphne Planning Commission on Thursday, March 24, 2022 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

KJC Investments, L.L.C. Pre-Zoning Amendment

Adjacent Property Owner list

Parcel N	Pin	Owner Name	Address	City	State	Zip
05-43-05-21-0-000-003.010	322630	ACK ENTERPRISES LIMITED	25558 FRIENDSHIP RD STE C	DAPHNE	AL	36507
05-43-05-21-0-000-003.000	10505	AJD FAMILY LIMITED PARTNERSHIP	P O BOX 1472	DAPHNE	AL	36526
05-43-05-21-0-000-003.005	322625					
05-43-05-21-0-000-003.011	322631					
05-43-05-21-0-000-003.015	325692					
05-43-05-21-0-000-003.017	325697					
05-43-05-21-0-000-003.002	242500	BAYSIDE ACADEMY INC	303 DRYER AVE	DAPHNE	AL	36526
05-43-05-16-0-000-025.000	43201	BENDER CLINICS DAPHNE L L C	33120 BOARDWALK DR	SPANISH FORT	AL	36527
05-43-05-21-0-000-003.003	300200	CIS AGENCY INCORPORATED	950 BROAD ST S	MOBILE	AL	36603
05-43-05-21-0-000-047.000	43199	CUNNINGHAM, DONNA H	25604 FRIENDSHIP RD	DAPHNE	AL	36526
05-43-05-21-0-000-003.006	322626	D BISHOP L L C	1203 US HWY 98, Ste. 1C	DAPHNE	AL	36526
05-43-05-21-0-000-003.007	322627		P O BOX 1472	DAPHNE	AL	36526
05-43-05-21-0-000-003.004	300201	DEFILIPPI, PATRICIA IRIS	25604 FRIENDSHIP RD	DAPHNE	AL	36526
05-43-05-21-0-000-047.000	43199	EAGLESON, ALFRED NOEL ETAL EAGLESON, DON	P O BOX 577	DAPHNE	AL	36526
05-43-05-16-0-000-023.014	227651	ENGLISH, LEROY T	8621 CO RD 64	DAPHNE	AL	36526
05-43-05-16-0-000-023.002	120001	GULLEDGE, RHONDA GIPSON ETAL GULLEDGE, D	10142 CO RD 64	DAPHNE	AL	36526
05-43-05-16-0-000-023.026	345267		32128 BROKEN BRANCH CIR	SPANISH FORT	AL	36527
05-43-05-21-0-000-003.008	322628	KINDERKIDS LEARNING CENTER INC	P O BOX 3102	DAPHNE	AL	36526
05-43-05-21-0-000-003.000	10505	KJC INVESTMENTS L L C	32128 BROKEN BRANCH CIR	SPANISH FORT	AL	36527
05-43-05-21-0-000-003.016	325696					
05-43-05-21-0-000-003.005	322625					
05-43-05-21-0-000-003.006	322626					
05-43-05-21-0-000-003.011	322631					
05-43-05-21-0-000-003.015	325692					
05-43-05-21-0-000-003.016	325696					
05-43-05-16-0-000-021.001	216565	L CHASON INVESTMENTS L L C	28912 BAY BRANCH DR	DAPHNE	AL	36526
05-43-05-21-0-000-002.000	3179	L&R VENTURES L L C	P O BOX 1543	DAPHNE	AL	36526
05-43-05-21-0-000-003.012	322632	MATADOR HOLDINGS L L C	26032 CAPITAL DR	DAPHNE	AL	36526
05-43-05-21-0-000-003.013	322633		23215 DOVECOTE LANE	FAIRHOPE	AL	36532
05-43-05-16-0-000-023.015	227652	NITE PRODUCTIONS L L C	5955 AIRPORT BLVD	MOBILE	AL	36608
05-43-05-16-0-000-023.021	234572	PAC L L C	408 RIDGEWOOD DR	DAPHNE	AL	36526
05-43-05-16-0-000-023.005	222810	PAM BUILDING CORPORATION				
05-43-05-21-0-000-003.009	322629	RAINER CO L L C				

Adjacent Property Owner list

05-43-05-16-0-000-024.000	16498	RIVIERA PARTNERS L L C				
05-43-05-21-0-000-003.001	10502	SIRMON, J GORDON ETAL SIRMON, SHIRLEY D	112 NORTH HOYLE AVE	BAY MINETTE	AL	36507
05-43-05-21-0-000-047.001	203048	ST STEPHEN C E C CHURCH	25359 CO RD 54 EAST	DAPHNE	AL	36526
05-43-05-21-0-000-003.014	322634	WILLISSON PROPERTIES L L C	P O BOX 1346	FAIRHOPE	AL	36533
			20690 LOWRY DR	FAIRHOPE	AL	36532

March 21, 2022

Adrienne D. Jones, AICP
Director, Community Development
1705 Main Street
Daphne, AL 36526

Dear Ms. Jones,

We received your letter concerning the pre-zoning of 52.48 acres as General Business for KJC Investments, L.L.C. located southeast of the Intersection of County Road 64 and Friendship Road. Our property located at 25604 Friendship Road, Daphne, AL 36526 runs adjacent to the south side of that acreage. We have owned this property since 2001 and express a number of concerns regarding the commercial use of the above agricultural land.

We have always appreciated the privacy afforded by the agricultural use and have reservations as to how the developer proposes to provide privacy fencing with landscaping along the adjoining line of the development. Also we feel it is reasonable to request a 50 foot buffer zone along the southern line parallel to our property. Another concern would be that our private driveway would become an easy access/egress for vehicles wishing to vacate the proposed development.

We respectfully request that the Planning Commission receive copies of this letter, and are willing to meet and talk with relevant parties pertaining to this matter.

Sincerely,

Donna and Noel Eagleson
25604 Friendship Road
Daphne, AL 36526

Donna's email: donnahare71@hotmail.com
Noel's email: noeleagleson@gmail.com

Donna's phone: (251) 421-3896
Noel's phone: (251) 404-3216



**COMMUNITY DEVELOPMENT
INTERNAL MEMORANDUM**

DATE: May 31, 2022
TO: Office of the City Clerk
FROM: Adrienne Jones, AICP, Director of Community Development
SUBJECT: KJC Investments, L.L.C. Zoning Amendment

PRESENT ZONING: B-1, Local Business

PROPOSED PRE-ZONING: B-2, General Business

LOCATION: Southeast of the intersection of County Road 64 and Friendship Road

RECOMMENDATION: At the May 26, 2022 regular meeting of the City of Daphne Planning Commission, seven 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

1. Community Development Report and Supplemental Documents
2. Rezoning Application
3. Legal Description (Exhibit A)
4. Boundary Survey (Exhibit B)
5. Adjacent Property Owners List

KJC INVESTMENTS, LLC REZONING REQUEST



Zoning Classification:
B-1, Local Business

Surrounding Zonings/Uses:

- **North**— B-1, Professional Business (ETJ)
- **South**— B-1, Professional Business (ETJ)
- **West**—B-2, General Business
- **East**— B-1, Professional Business (ETJ)

Existing Utility Service Providers: Belforest Water, Riviera Utilities, AT&T, Daphne Utilities

Affected City Service Providers: Fire Station 5, Police Beat 1

Staff Recommendation to PC: *Favorable* recommendation to City Council.

Proposed Zoning:
B-2, General Business

Development Concept:
Commercial Multi-tenant

Council District:
4

Existing Conditions:
3.94 ac

Planning Commission
5/26/22 Unanimously favorable

THE COMPREHENSIVE PLAN:

The comprehensive plan's overarching policy regarding land development encourages harmony and compatibility. The following are some Land Use Goals and Objectives from the Plan.

Goal: Provide a land use plan for the City of Daphne, which supports the City's economic development, housing, transportation, and open space, recreation and education goals in a manner that maintains and promotes Daphne's unique image and quality of life. Objective: Encourage development of sound and cohesive residential areas which meet the housing needs of current and potential residents.

Goal: Grow sensibly by anticipating land use needs. Objective: Promote and manage growth on undeveloped lands in a manner that will be compatible with, and complementary to, existing adjacent developed properties. Objective: Encourage planned unit developments which are beneficial to residents and which creatively take advantage of available properties that otherwise would not be developed. Objective: Protect and preserve the character of Daphne through review of new developments, the encouragement of growth that enhances the community spirit, and through aesthetic considerations. Objective: Integrate recreational resources with residential neighborhoods to ensure that all portions of Daphne's population have convenient access to parks and open space. Promote clustered commercial development in defined areas.

PROPOSAL:

The applicant proposes to rezone the subject property to B-2, General Business. *A proposed development plan has been submitted to support the application.* The site is adjacent to Italian Settlement Business Park which is located to the west of the subject property. The land along Friendship Road was originally zoned and annexed as B-1, Local Business. 10 years later, Italian Settlement subdivision was rezoned to B-2, General Business. The remnant, 3.94 acre grady pond, was not included in the request to be rezoned. The subject property is that remnant.

Land located to the northeast was recently annexed and zoned B-2, General Business on January 3, 2022. B-2 zoning is consistent with the adjacent parcels that are inside the corporate limits as well as the land to the north located in Austin Place Commercial Park (across County Road 64).

RECOMMENDATIONS:

Staff offers a favorable recommendation and on 5/26/22, the Planning Commission unanimously voted to send Council a favorable recommendation to rezone the property to B-2, General Business.

APPLICATION & SUPPLEMENTAL INFORMATION



APPLICATION FOR REZONING OR PRE-ZONING

Office use only: Rev. 072816

Application Number:

ZA- 22-02 or PZA-

Date Submitted Feb. 24, 22

Planning Commission Public

Hearing Date: ~~April 28, 2022~~

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

~~March 24, 22~~
May 26, 2022

SITE DATA

Site Location (Address or General Proximity to Nearest Intersection):

KJC Investments, LLC

PPIN#(s): 325696

Gross Site Area (acreage): 3.94

Requested Zoning or Pre-Zoning: B-2

Current Zoning Designation(s):

B-1

Amended Request:

Initials:

Date:

Current Land Use: **Vacant**

Anticipated Land Use: **Commercial Multi tenant**

Provide Legal Description (if necessary attach separate page entitled "Legal Description for [Name of Applicant]":

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

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: **KJC Investments, LLC**

Mailing Address: **27180 Pollard Rd. Daphne, AL 36526**

Phone/Fax: 251-625-1198
E-mail: permitting@terracored
ev.com

Name of Authorized Agent: **JADE Consulting, LLC**

Mailing Address: **208 N. Greeno Rd., Ste. C, Fairhope, AL 36532**

Phone/Fax: 251-928-3443
E-mail: tjinright@jadengineer
s.com

Name of Developer*:

KJC Investments, LLC

Phone/Fax:
E-mail:

Other:

Phone/Fax:
E-mail:

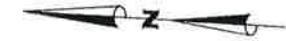
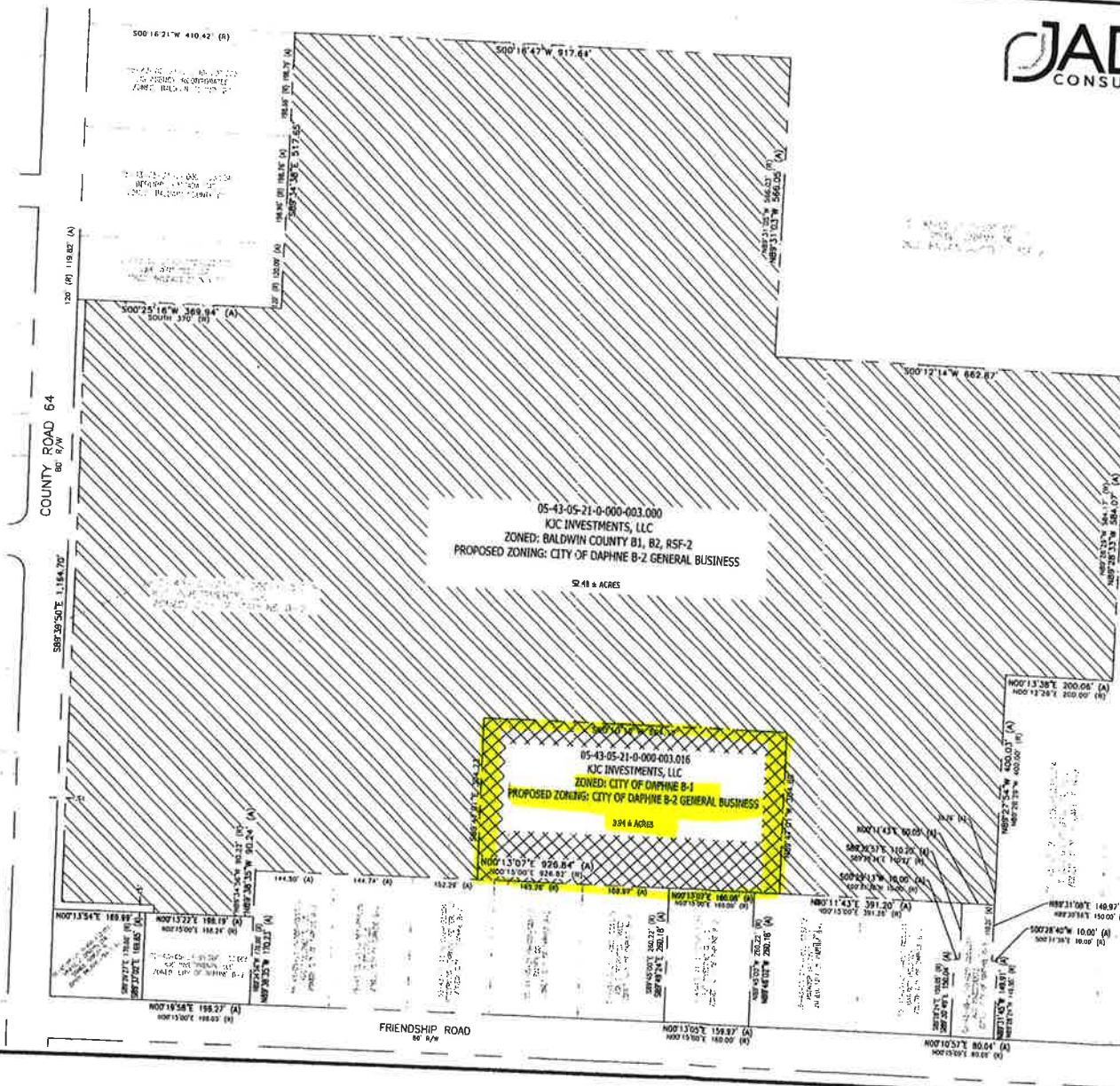
I, the applicant, certify that all of the above facts are true and correct to the best of my knowledge. I hereby agree to allow the City of Daphne to post a sign on the subject property notifying the general public of this request.

Applicant's Signature: Kimberly J Cox

Date 2/24/2022

Agent's Signature:

Date



LEGEND

-  ANNEX TO CITY OF DAPHNE AND ZONE B-2 GENERAL BUSINESS
-  REGION TO CITY OF DAPHNE B-2 GENERAL BUSINESS

PROPOSED ZONING MAP:
APPROX. 56.42 ACRES
COUNTY ROAD 64
AND
FRIENDSHIP ROAD
DAPHNE, AL

3.94 ACRE PARCEL

STATE OF ALABAMA
COUNTY OF BALDWIN

COMMENCING AT THE NORTHEAST CORNER OF SECTION 21, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 89°-37'-55" WEST A DISTANCE OF 756.54 FEET; THENCE RUN SOUTH 00°-16'-21" WEST A DISTANCE OF 410.42 FEET TO A CAPPED REBAR (GARSE); THENCE RUN SOUTH 00°-16'-47" WEST A DISTANCE OF 917.64 FEET TO A CAPPED REBAR (ILLEGIBLE); THENCE RUN NORTH 89°-31'-03" WEST A DISTANCE OF 566.05 FEET TO A CAPPED REBAR (ILLEGIBLE); THENCE RUN SOUTH 00°-12'-14" WEST A DISTANCE OF 662.87 FEET TO A CAPPED REBAR (10675) AT THE NORTHEAST CORNER OF LOT 4, TRIONE TRACE, AS RECORDED ON SLIDE 1594-A OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 89°-28'-33" WEST ALONG THE NORTH LINE OF SAID LOT 4 A DISTANCE OF 584.07 FEET TO A CAPPED REBAR (0089LS) AT THE SOUTHEAST CORNER OF LOT 10-A, AMENDED PLAT, ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1, REPLAT OF LOT 10, AS RECORDED ON SLIDE 2778-F OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 00°-13'-38" EAST ALONG THE EAST LINE OF SAID LOT 10-A A DISTANCE OF 200.06 FEET TO A CAPPED REBAR (HMR) AT THE NORTHEAST CORNER OF SAID LOT 10-A; THENCE RUN NORTH 89°-27'-54" WEST ALONG THE NORTH LINE OF SAID LOT 10-A A DISTANCE OF 400.03 FEET TO A CAPPED REBAR (HMR); THENCE RUN NORTH 89°-31'-08" WEST ALONG THE NORTH LINE OF SAID LOT 10-A A DISTANCE OF 39.76 FEET TO A CAPPED REBAR (HMR) AT THE SOUTHEAST CORNER OF A PARCEL LABELED "RESERVED FOR FUTURE RIGHT-OF-WAY AS SHOWN ON THE PLAT OF ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1, AS RECORDED ON SLIDE 2439-D OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 00°-11'-43" EAST ALONG THE EAST LINE OF SAID ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1 A DISTANCE OF 404.37 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL; THENCE CONTINUE NORTH 00°-11'-43" EAST ALONG THE EAST LINE OF SAID ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1 A DISTANCE OF 46.88 FEET TO A CAPPED REBAR (HMR) AT THE SOUTHEAST CORNER OF LOT 7 OF SAID ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1; THENCE RUN NORTH 00°-13'-07" EAST A DISTANCE OF 517.29 FEET; THENCE RUN SOUTH 89°-47'-01" EAST A DISTANCE OF 304.23 FEET; THENCE RUN SOUTH 00°-10'-12" WEST A DISTANCE OF 564.17 FEET; THENCE RUN NORTH 89°-47'-01" WEST A DISTANCE OF 304.69 FEET TO THE POINT OF BEGINNING. THE DESCRIBED PARCEL CONTAINS 3.94 ACRES, MORE OR LESS.

COMMUNITY DEVELOPMENT



March 11, 2022

Dear Sir/Ma'am,

NOTICE OF PUBLIC HEARING

A petition for REZONING will be considered by the Daphne Planning Commission. KJC Investments, L.L.C. proposes to rezone 3.94 acres +/- located southeast of the intersection of County Road 64 and Friendship Road from B-1, Local Business, to B-2, General Business.

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, March 16, 2022 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 chairwoman.

The public hearing will be held by the Daphne Planning Commission on Thursday, March 24, 2022 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

KJC Investments, L.L.C. Zoning Amendment

Adjacent Property Owner list

Parcel Number	Pin	Owner Name	Address	City	State	Zip
05-43-05-21-0-000-003.010	322630	ACK ENTERPRISES LIMITED	25558 FRIENDSHIP RD STE C	DAPHNE	AL	36507
05-43-05-21-0-000-003.000	10505	AJD FAMILY LIMITED PARTNERSHIP	P O BOX 1472	DAPHNE	AL	36526
05-43-05-21-0-000-003.005	322625					
05-43-05-21-0-000-003.011	322631					
05-43-05-21-0-000-003.015	325692					
05-43-05-21-0-000-003.017	325697					
05-43-05-21-0-000-003.002	242500	BAYSIDE ACADEMY INC	303 DRYER AVE	DAPHNE	AL	36526
05-43-05-16-0-000-025.000	43201	BENDER CLINICS DAPHNE L L C	33120 BOARDWALK DR	SPANISH FORT	AL	36527
05-43-05-21-0-000-003.003	300200	CIS AGENCY INCORPORATED	950 BROAD ST S	MOBILE	AL	36603
05-43-05-21-0-000-047.000	43199	CUNNINGHAM, DONNA H	25604 FRIENDSHIP RD	DAPHNE	AL	36526
05-43-05-21-0-000-003.006	322626	D BISHOP L L C	1203 US HWY 98, Ste. 1C	DAPHNE	AL	36526
05-43-05-21-0-000-003.007	322627		P O BOX 1472	DAPHNE	AL	36526
05-43-05-21-0-000-003.004	300201	DEFILIPPI, PATRICIA IRIS	25604 FRIENDSHIP RD	DAPHNE	AL	36526
05-43-05-21-0-000-047.000	43199	EAGLESON, ALFRED NOEL ETAL EAGLESON, DON	P O BOX 577	SATSUMA	AL	36572
05-43-05-16-0-000-023.014	227651	ENGLISH, LEROY T	8621 CO RD 64	DAPHNE	AL	36526
05-43-05-16-0-000-023.002	120001	GULLEDGE, RHONDA GIPSON ETAL GULLEDGE, D	10142 CO RD 64	DAPHNE	AL	36526
05-43-05-16-0-000-023.026	345267		32128 BROKEN BRANCH CIR	SPANISH FORT	AL	36527
05-43-05-21-0-000-003.008	322628	KINDERKIDS LEARNING CENTER INC	P O BOX 3102	DAPHNE	AL	36526
05-43-05-21-0-000-003.000	10505	KJC INVESTMENTS L L C	28912 BAY BRANCH DR	DAPHNE	AL	36526
05-43-05-21-0-000-003.016	325696		P O BOX 1543	DAPHNE	AL	36526
05-43-05-21-0-000-003.005	322625		26032 CAPITAL DR	DAPHNE	AL	36526
05-43-05-21-0-000-003.006	322626		23215 DOVECOTE LANE	FAIRHOPE	AL	36532
05-43-05-21-0-000-003.011	322631		5955 AIRPORT BLVD	MOBILE	AL	36608
05-43-05-21-0-000-003.015	325692		408 RIDGEWOOD DR	DAPHNE	AL	36526
05-43-05-21-0-000-003.016	325696					
05-43-05-16-0-000-021.001	216565	L CHASON INVESTMENTS L L C				
05-43-05-21-0-000-002.000	3179	L&R VENTURES L L C				
05-43-05-21-0-000-003.012	322632	MATADOR HOLDINGS L L C				
05-43-05-21-0-000-003.013	322633					
05-43-05-16-0-000-023.015	227652	NITE PRODUCTIONS L L C				
05-43-05-16-0-000-023.021	234572	PAC L L C				
05-43-05-16-0-000-023.005	222810	PAM BUILDING CORPORATION				
05-43-05-21-0-000-003.009	322629	RAINER CO L L C				

Adjacent Property Owner list

05-43-05-16-0-000-024.000	16498	RIVIERA PARTNERS L L C				
05-43-05-21-0-000-003.001	10502	SIRMON, J GORDON ETAL SIRMON, SHIRLEY D	112 NORTH HOYLE AVE	BAY MINETTE	AL	36507
05-43-05-21-0-000-047.001	203048	ST STEPHEN C E C CHURCH	25359 CO RD 54 EAST	DAPHNE	AL	36526
05-43-05-21-0-000-003.014	322634	WILLISSON PROPERTIES L L C	P O BOX 1346	FAIRHOPE	AL	36533
			20690 LOWRY DR	FAIRHOPE	AL	36532

3.94 ACRE PARCEL

STATE OF ALABAMA
COUNTY OF BALDWIN

COMMENCING AT THE NORTHEAST CORNER OF SECTION 21, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 89°-37'-55" WEST A DISTANCE OF 756.54 FEET; THENCE RUN SOUTH 00°-16'-21" WEST A DISTANCE OF 410.42 FEET TO A CAPPED REBAR (GARSED); THENCE RUN SOUTH 00°-16'-47" WEST A DISTANCE OF 917.64 FEET TO A CAPPED REBAR (ILLEGIBLE); THENCE RUN NORTH 89°-31'-03" WEST A DISTANCE OF 566.05 FEET TO A CAPPED REBAR (ILLEGIBLE); THENCE RUN SOUTH 00°-12'-14" WEST A DISTANCE OF 662.87 FEET TO A CAPPED REBAR (10675) AT THE NORTHEAST CORNER OF LOT 4, TRIONE TRACE, AS RECORDED ON SLIDE 1594-A OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 89°-28'-33" WEST ALONG THE NORTH LINE OF SAID LOT 4 A DISTANCE OF 584.07 FEET TO A CAPPED REBAR (0089LS) AT THE SOUTHEAST CORNER OF LOT 10-A, AMENDED PLAT, ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1, REPLAT OF LOT 10, AS RECORDED ON SLIDE 2778-F OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 00°-13'-38" EAST ALONG THE EAST LINE OF SAID LOT 10-A A DISTANCE OF 200.06 FEET TO A CAPPED REBAR (HMR) AT THE NORTHEAST CORNER OF SAID LOT 10-A; THENCE RUN NORTH 89°-27'-54" WEST ALONG THE NORTH LINE OF SAID LOT 10-A A DISTANCE OF 400.03 FEET TO A CAPPED REBAR (HMR); THENCE RUN NORTH 89°-31'-08" WEST ALONG THE NORTH LINE OF SAID LOT 10-A A DISTANCE OF 39.76 FEET TO A CAPPED REBAR (HMR) AT THE SOUTHEAST CORNER OF A PARCEL LABELED "RESERVED FOR FUTURE RIGHT-OF-WAY AS SHOWN ON THE PLAT OF ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1, AS RECORDED ON SLIDE 2439-D OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 00°-11'-43" EAST ALONG THE EAST LINE OF SAID ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1 A DISTANCE OF 404.37 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL; THENCE CONTINUE NORTH 00°-11'-43" EAST ALONG THE EAST LINE OF SAID ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1 A DISTANCE OF 46.88 FEET TO A CAPPED REBAR (HMR) AT THE SOUTHEAST CORNER OF LOT 7 OF SAID ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1; THENCE RUN NORTH 00°-13'-07" EAST A DISTANCE OF 517.29 FEET; THENCE RUN SOUTH 89°-47'-01" EAST A DISTANCE OF 304.23 FEET; THENCE RUN SOUTH 00°-10'-12" WEST A DISTANCE OF 564.17 FEET; THENCE RUN NORTH 89°-47'-01" WEST A DISTANCE OF 304.69 FEET TO THE POINT OF BEGINNING. THE DESCRIBED PARCEL CONTAINS 3.94 ACRES, MORE OR LESS.

**COMMUNITY DEVELOPMENT
INTERNAL MEMORANDUM**



DATE: May 31, 2022
TO: Office of the City Clerk
FROM: Adrienne Jones, AICP, Director of Community Development
SUBJECT: KJC, L.L.C. Annexation Petition

PRESENT ZONING: B-1, Professional Business, B-2, Neighborhood Business, and RSF-2, Residential Single Family, Baldwin County District 15, in the Extraterritorial Planning Jurisdiction of Daphne

LOCATION: Southeast of the intersection of County Road 64 and Friendship Road

RECOMMENDATION: At the May 26, 2022 regular meeting of the City of Daphne Planning Commission, seven members were present and the motion carried for a favorable recommendation for the above mentioned annexation petition.

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.

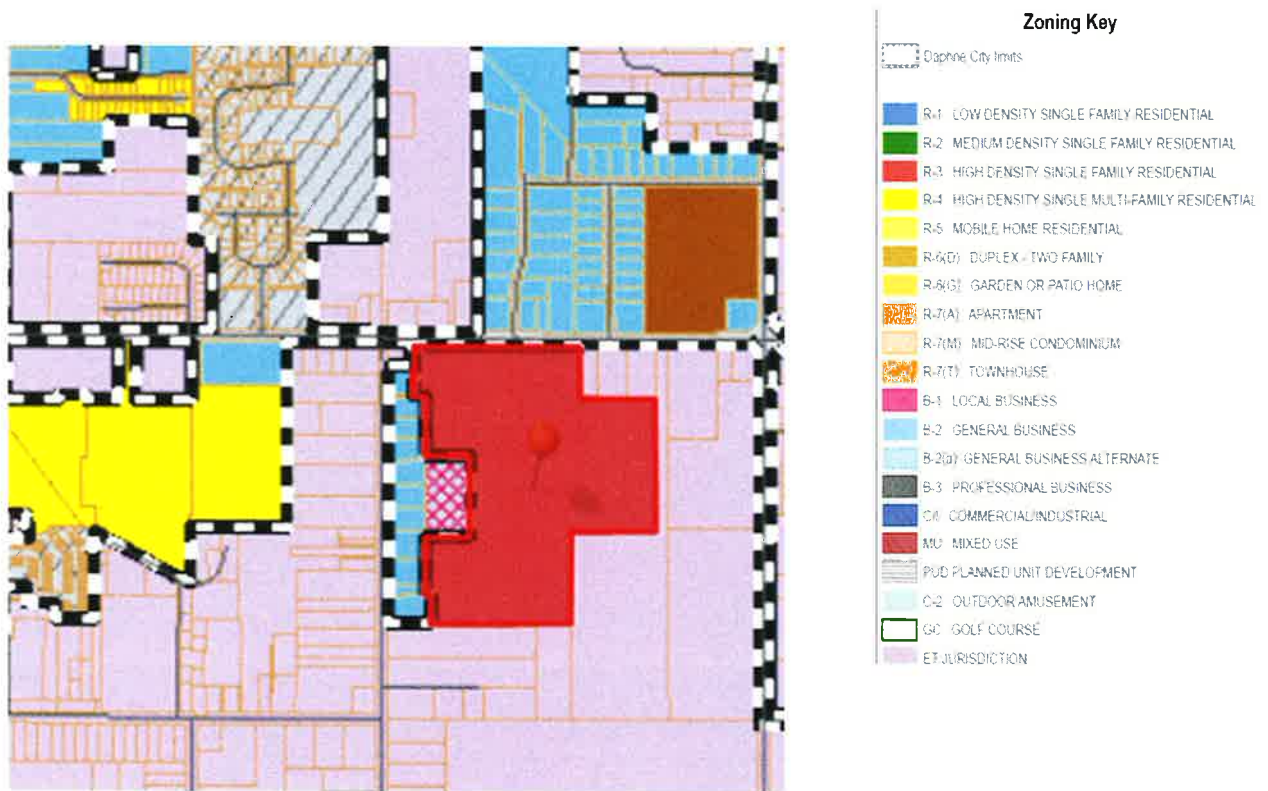
Thank you,
ADJ/jv

1. Community Development Report and Supplemental Documents
2. Petition for Annexation
3. Legal Description (Exhibit A)
4. Boundary Survey (Exhibit B)

KJC INVESTMENTS, LLC ANNEXATION PETITION

ANNEXATION REQUEST KJC, LLC

Southeast of the intersection of County Road 64 and County Road Friendship Road



REQUEST: The applicant proposes **to annex the subject property into the corporate limits.** The site **meets the contiguity requirement** because it is adjacent to Italian Settlement Business Park (fronts Friendship Road) and County Road 64 right of way.

STAFF RECOMMENDATION: The Comprehensive Plan encourages expansion and annexation of land contiguous to the existing corporate limits. ***Staff recommends approval of the request to annex this land into the City of Daphne.***

PLANNING COMMISSION RECOMMENDATION:

On May 26, 2022, the Daphne Planning Commission set forth a unanimous favorable recommendation to City Council to annex the subject property into the corporate limits.

Excerpt from Article 23-1 Procedure [for Annexation Requests]

The application shall be reviewed by the Planning Commission at its next regular meeting and said Commission shall have thirty (30) calendar days from said regular meeting within which to submit a recommendation to the City Council. If the Commission fails to submit a recommendation to the City Council within the thirty (30) calendar day period, it shall be deemed to have approved the proposed amendment...Before enacting any amendment to this Ordinance, a public hearing thereon shall be held by the City Council with proper notice as required by law. Said public hearing shall be held at the earliest possible time to consider the proposed annexation, and the Council shall take action on said proposed annexation within forty-five (45) calendar days from the date of the public hearing except in the case where the tentative action is not in accordance with the Planning Commission's certified recommendation.

23-2 PROCEDURE FOR ZONING NEWLY ANNEXED LAND

Any land annexed to the City of Daphne hereafter shall be classified as an R-1, Low Density Single Family Residential District unless otherwise recommended by the Planning Commission through the zoning amendment procedure provided in Article 22-1, Zoning Amendment Procedures. In such case, City Council may consider, after due process of publication and hearing as required by law, specific applications to zone newly annexed land into one or more existing or proposed new zoning classifications recommended by the Planning Commission.

APPLICATION & SUPPLEMENTAL INFORMATION

**PETITION FOR ANNEXATION OF CERTAIN PROPERTY
INTO THE CORPORATE LIMITS OF THE MUNICIPALITY
OF THE CITY OF DAPHNE, ALABAMA**

(_____)
The undersigned corporation, KJC Investments, LLC, files this
petition with the Clerk of the City of Daphne requesting the property hereafter described,
commonly referred to as, 05-43-05-21-0-000-003.000, to be annexed into
the City of Daphne, a municipal corporation incorporated under the laws of the State of Alabama,
and submits the following in support of the petition:

1. **Description of Property:** The description of the property which the petitioner requests to be annexed into the City of Daphne is described in **Exhibit "A"** attached hereto and made a part of this petition as fully set out herein (the "Property").
2. **Map of Property:** Attached hereto as **Exhibit "B"** and made a part of this petition, is a map of the property showing its relationship to the corporate limits of the municipality of the City of Daphne.
3. **Owner:** The petitioner, KJC Investments, LLC, is the owner of the property hereby sought to be annexed into the corporate limits of the City of Daphne.
4. **Specific Conditions:** This petition is conditioned upon the adoption of an ordinance, which shall include specifically the conditions requested below upon annexing the said property into the corporate limits of the City of Daphne.

Requested zoning, if other than R-1: B-2

Any other conditions which may apply upon annexation:

7.

5. **Code:** This Petition is filed pursuant to the provisions of Article 21, Chapter 42, Title 11, Code of Alabama, 1975, as amended.

DATED this 24th day of February, 2022

Respectfully submitted,

KJC Investments, LLC

Name of Corporation

By:

Kimberly J. Cox
Kimberly J. Cox

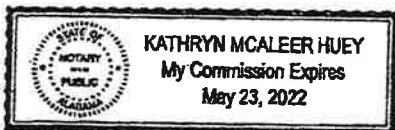
Its:

Managing Member

STATE OF ALABAMA
COUNTY OF BALDWIN

I, Kathryn McAleer Huey, the undersigned Notary Public in and for said county and state, hereby certify that Kimberly J. Cox whose name as Managing Manager of KJC Investments, LLC, an Alabama corporation, 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 instrument, he/she as such officer and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 24th day of February, 2022.



Kathryn McAleer Huey
NOTARY PUBLIC

My commission expires: May 23, 2022

Corporation's Address

ADDITIONAL INFORMATION

We, the undersigned, constituting all of the owners of the described real property do hereby execute and file this written petition asking and requesting that our property be annexed into the corporate limits of the City of Daphne, Alabama, under the authority of Section 11-42-20 through 11-42-24, Code of Alabama 1975.

Initials: KJC

We further certify that said property is contiguous to the city limits of Daphne, Alabama. A map and written legal description of said property is hereto attached.

Initials: KJC

We certify that the property is a single or multiple parcels under single or multiple ownership.
Circle appropriate response:

Initials: KJC

We certify that we fully understand that upon annexation, the subject property shall be subject to all laws and codes administered by the City of Daphne, including, but not limited to, the zoning code, the subdivision regulations and the municipal code of the City of Daphne.

Initials: KJC

SELECT ONE OF THE FOLLOWING OPTIONS

☒ Option# 1: We do hereby request pre-zoning of the subject property to the following zoning classification(s): B-2, and certify that a petition for rezoning, associated fees and documents have been submitted prior to or concurrently with this petition.

Initials: KJC

Or

☐ Option# 2: We do hereby certify that we understand fully that upon annexation the subject property will be zoned R-1, Low Density Single Family Residential.

Initials: _____

We do hereby request that the Planning Commission and City Council give such notice, hold such hearing and adopt such ordinance and do all such things or acts as is required by law so that the corporate limits of the City of Daphne, Alabama shall be rearranged so as to include such territory.

IN WITNESS WHEREOF, we have hereunto subscribed our names this, the 26th day of February, 2022.

Legal Description Attached (Exhibit A)? yes Map or Survey Attached (Exhibit B)? yes
Recorded Subdivision Plat OR Preliminary/Final Subdivision plat approved by Planning Commission
Attached (Exhibit C)? NA Acreage 52.48
Subdivision Name NA Lot Number(s) NA

Names and Signature of ALL property owners OR principle of corporation's designee:

Signature: Kimberly J. Cox Signature: _____

Printed Name: Kimberly J. Cox Printed Name: _____

Mailing Address: 27180 Pollard Rd. Daphne, AL 36526 Mailing Address: _____

52.48 ACRE PARCEL

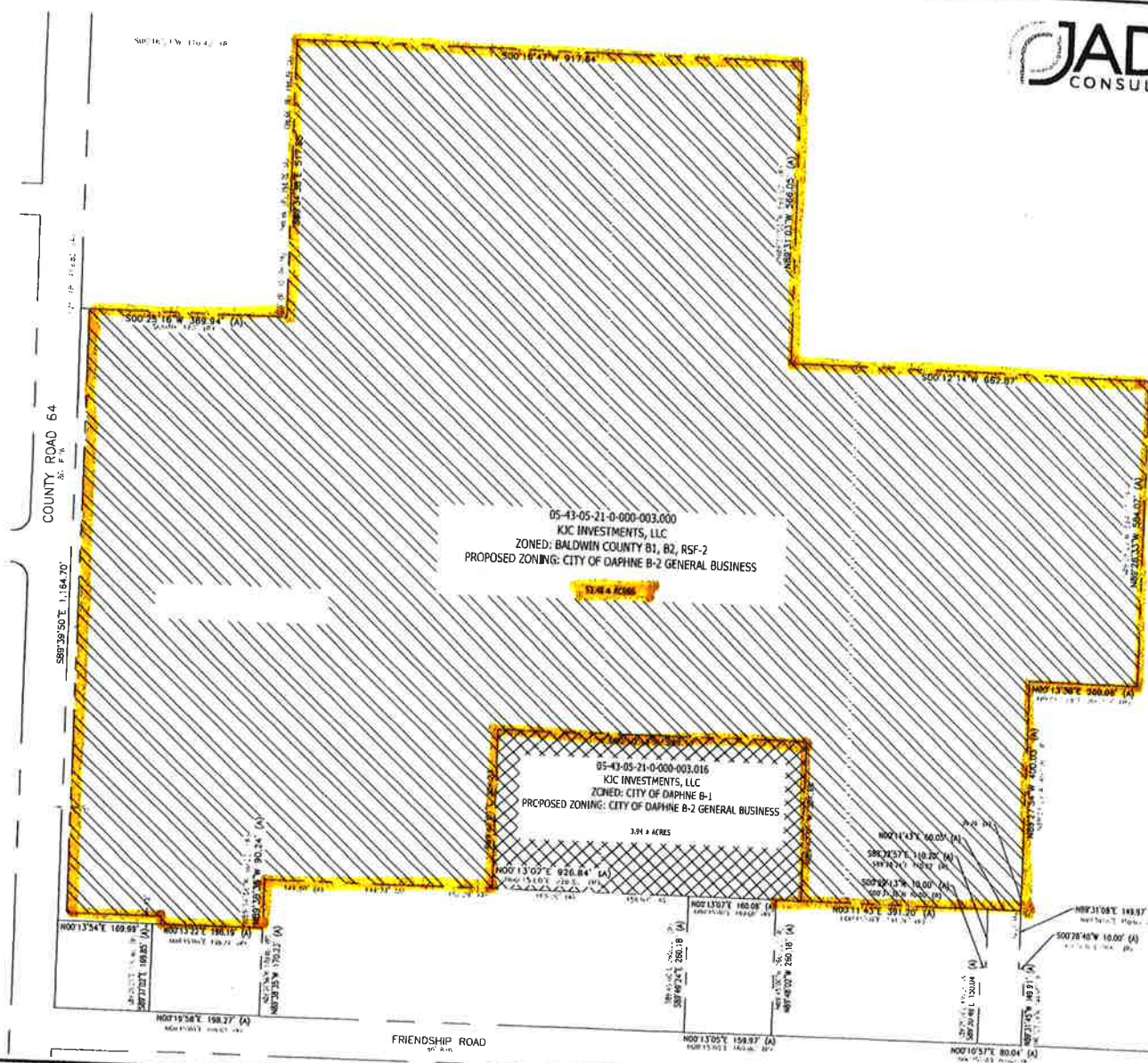
STATE OF ALABAMA
COUNTY OF BALDWIN

COMMENCING AT THE NORTHEAST CORNER OF SECTION 21, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 89°-37'-55" WEST A DISTANCE OF 756.54 FEET; THENCE RUN SOUTH 00°-16'-21" WEST A DISTANCE OF 410.42 FEET TO A CAPPED REBAR (GARSED) AT THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL: THENCE RUN SOUTH 00°-16'-47" WEST A DISTANCE OF 917.64 FEET TO A CAPPED REBAR (ILLEGIBLE); THENCE RUN NORTH 89°-31'-03" WEST A DISTANCE OF 566.05 FEET TO A CAPPED REBAR (ILLEGIBLE); THENCE RUN SOUTH 00°-12'-14" WEST A DISTANCE OF 662.87 FEET TO A CAPPED REBAR (10675) AT THE NORTHEAST CORNER OF LOT 4, TRIONE TRACE, AS RECORDED ON SLIDE 1594-A OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 89°-28'-33" WEST ALONG THE NORTH LINE OF SAID LOT 4 A DISTANCE OF 584.07 FEET TO A CAPPED REBAR (0089LS) AT THE SOUTHEAST CORNER OF LOT 10-A, AMENDED PLAT, ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1, REPLAT OF LOT 10, AS RECORDED ON SLIDE 2778-F OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 00°-13'-38" EAST ALONG THE EAST LINE OF SAID LOT 10-A A DISTANCE OF 200.06 FEET TO A CAPPED REBAR (HMR) AT THE NORTHEAST CORNER OF SAID LOT 10-A; THENCE RUN NORTH 89°-27'-54" WEST ALONG THE NORTH LINE OF SAID LOT 10-A A DISTANCE OF 400.03 FEET TO A CAPPED REBAR (HMR); THENCE RUN NORTH 89°-31'-08" WEST ALONG THE NORTH LINE OF SAID LOT 10-A A DISTANCE OF 39.76 FEET TO A CAPPED REBAR (HMR) AT THE SOUTHEAST CORNER OF A PARCEL LABELED "RESERVED FOR FUTURE RIGHT-OF-WAY AS SHOWN ON THE PLAT OF ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1, AS RECORDED ON SLIDE 2439-D OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 00°-11'-43" EAST ALONG THE EAST LINE OF SAID ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1 A DISTANCE OF 404.37 FEET; THENCE RUN SOUTH 89°-47'-01" EAST A DISTANCE OF 304.69 FEET; THENCE RUN NORTH 00°-10'-12" EAST A DISTANCE OF 564.17 FEET; THENCE RUN NORTH 89°-47'-01" WEST A DISTANCE OF 304.23 FEET TO THE EAST LINE OF SAID ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1; THENCE RUN NORTH 00°-13'-07" EAST ALONG THE EAST LINE OF SAID ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1 A DISTANCE OF 409.55 FEET TO A CAPPED REBAR (HMR) AT THE NORTHEAST CORNER OF LOT 2 OF SAID ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1; THENCE RUN NORTH 89°-38'-35" WEST ALONG THE NORTH LINE OF SAID LOT 2 A DISTANCE OF 90.24 FEET TO A CAPPED REBAR (ILLEGIBLE) AT THE SOUTHEAST CORNER OF LOT 1 OF SAID ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1; THENCE RUN NORTH 00°-13'-22" EAST ALONG THE EAST LINE OF SAID LOT 1 A DISTANCE OF 183.19 FEET; THENCE RUN SOUTH 89°-37'-02" EAST A DISTANCE OF 15.00 FEET; THENCE RUN NORTH 00°-13'-54" EAST A DISTANCE OF 170.00 FEET; THENCE RUN SOUTH 89°-39'-50" EAST ALONG A LINE 15 FEET SOUTH OF AND PARALLEL WITH THE SOUTH RIGHT-OF-WAY LINE OF COUNTY ROAD 64 (80' R/W) A DISTANCE OF 1,149.65 FEET; THENCE RUN SOUTH 00°-25'-16" WEST A DISTANCE OF 354.94 FEET TO A 1/2" REBAR; THENCE RUN SOUTH 89°-34'-38" EAST A DISTANCE OF 517.65 FEET TO THE POINT OF BEGINNING. THE DESCRIBED PARCEL CONTAINS 52.48 ACRES, MORE OR LESS.



JINRIGHT & ASSOCIATES DEVELOPMENT ENGINEERS
 208 Greeno Road N., Ste. C Fairhope, Alabama 36532
 P.O. Box 1929 Fairhope, Alabama 36533
 Phone: (251) 928-1443 Fax: (251) 928-3665
 jadengineers.com

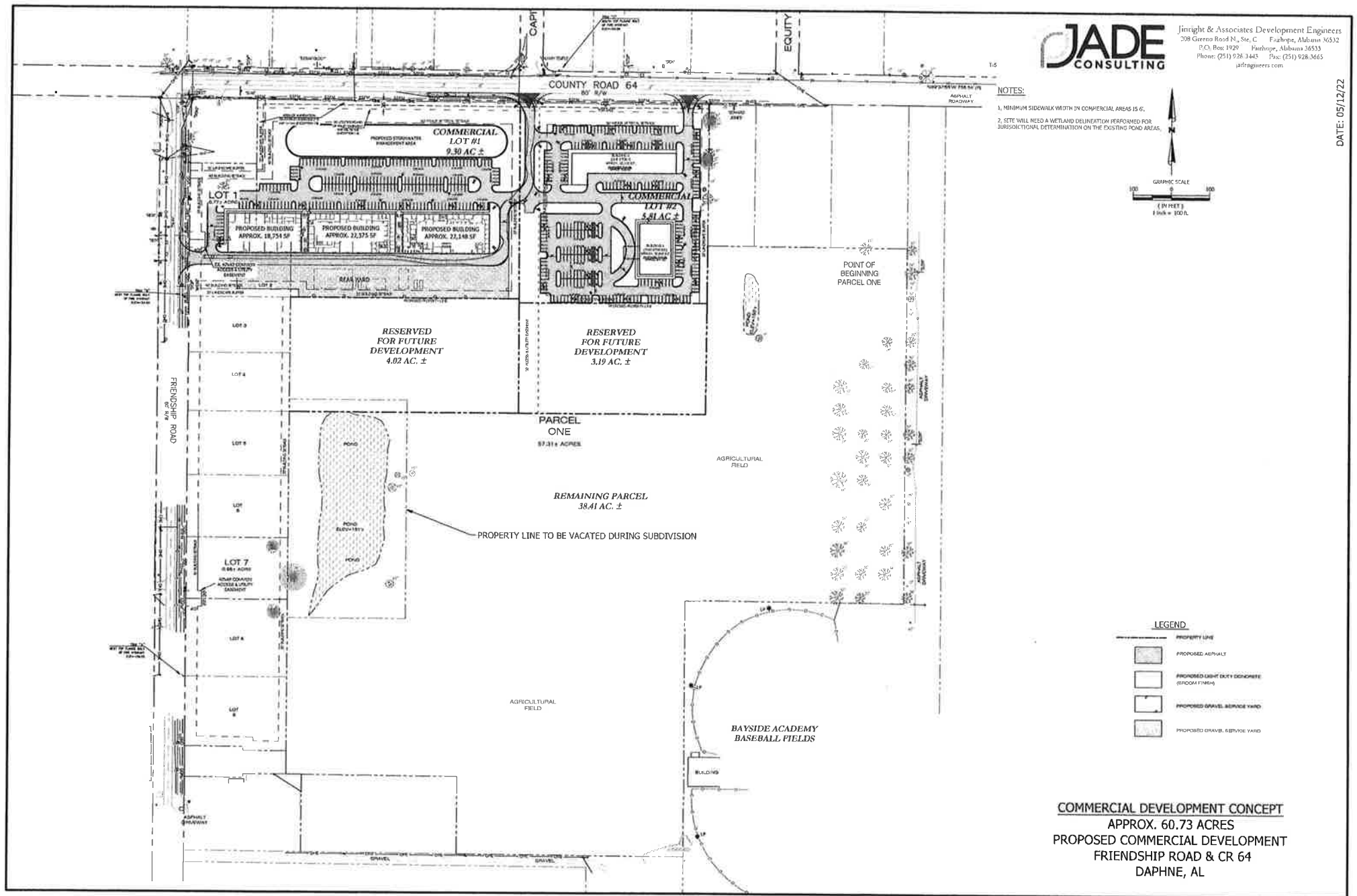
DATE: 2/24/2022



LEGEND

-  ADD TO CITY OF DAPHNE AND BONE B-2 GENERAL BUSINESS
-  REZONE TO CITY OF DAPHNE B-2 GENERAL BUSINESS

PROPOSED ZONING MAP:
 APPROX. 56.42 ACRES
 COUNTY ROAD 64
 AND
 FRIENDSHIP ROAD
 DAPHNE, AL



COMMUNITY DEVELOPMENT



May 27, 2022

KJC Investments, LLC
27180 Pollard Road
Daphne, AL 36526

**Subject: KJC Investments LLC Pre-zoning Project Status #PZA22-03
KJC Investments LLC Annexation Project Status #ANX22-03
KJC Investments LLC Zoning Amendment Project Status #ZA22-02**

Dear KJC Investments, LLC,

On May 26, 2022, the Daphne Planning Commission set forth a favorable recommendation to the City Council to annex and pre-zone the 52.48-acre subject property to B-2, General Business within the city limits of the City of Daphne.

Additionally, the Daphne Planning Commission set forth a favorable recommendation to the City Council to rezone the 3.94-subject property from B-1, Local Business to B-2, General Business within the city limits of the City of Daphne.

Documentation will be forwarded for further processing. If you have any questions, feel free to contact me.

Sincerely,


Adrienne D. Jones, AICP
Community Development Director

cc: Trey Jinright – Email
City Clerk - Email
File



COMMUNITY DEVELOPMENT INTERNAL MEMORANDUM

DATE: May 31, 2022
TO: Office of the City Clerk
FROM: Adrienne Jones, AICP, Director of Community Development
SUBJECT: Olde Town Properties, L.L.C. Zoning Amendment

PRESENT ZONING: B-3, Professional Business

PROPOSED PRE-ZONING: B-1(a), Limited Local Business

LOCATION: Southwest of Van and Main Street

RECOMMENDATION: At the May 26, 2022 regular meeting of the City of Daphne Planning Commission, seven 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

1. Community Development Report and Supplemental Documents
2. Pre-zoning Application
3. Legal Description (Exhibit A)
4. Boundary Survey (Exhibit B)
5. Adjacent Property Owners List

OLDE TOWN PROPERTIES, LLC REZONING REQUEST



Zoning Classification:

B-3, Professional Business

Surrounding Zonings/Uses:

- **North**— B-3, Professional Business
- **South**— B-3, Professional Business
- **West**—R-6(G), Garden/Patio Home
- **East**— B-1, Local Business

Existing Utility Service Providers: Riviera Utilities, AT&T, Daphne Utilities

Affected City Service Providers: Fire Station 1, Police Beat 1

Staff Recommendation to PC: Favorable recommendation to City Council.

Proposed Zoning:

B-1(A), Limited Local Business

Development Concept:

Commercial Multi-tenant

Council District:

2

Existing Conditions:

Professional Office

Planning Commission

5/26/22 Unanimously favorable

THE COMPREHENSIVE PLAN:

The comprehensive plan's overarching policy regarding land development encourages harmony and compatibility. The following are some Land Use Goals and Objectives from the Plan.

Goal: Provide a land use plan for the City of Daphne, which supports the City's economic development, housing, transportation, and open space, recreation and education goals in a manner that maintains and promotes Daphne's unique image and quality of life. Objective: Encourage development of sound and cohesive residential areas which meet the housing needs of current and potential residents.

Goal: Grow sensibly by anticipating land use needs. Objective: Promote and manage growth on undeveloped lands in a manner that will be compatible with, and complementary to, existing adjacent developed properties. Objective: Encourage planned unit developments which are beneficial to residents and which creatively take advantage of available properties that otherwise would not be developed. Objective: Protect and preserve the character of Daphne through review of new developments, the encouragement of growth that enhances the community spirit, and through aesthetic considerations. Objective: Integrate recreational resources with residential neighborhoods to ensure that all portions of Daphne's population have convenient access to parks and open space. Promote clustered commercial development in defined areas.

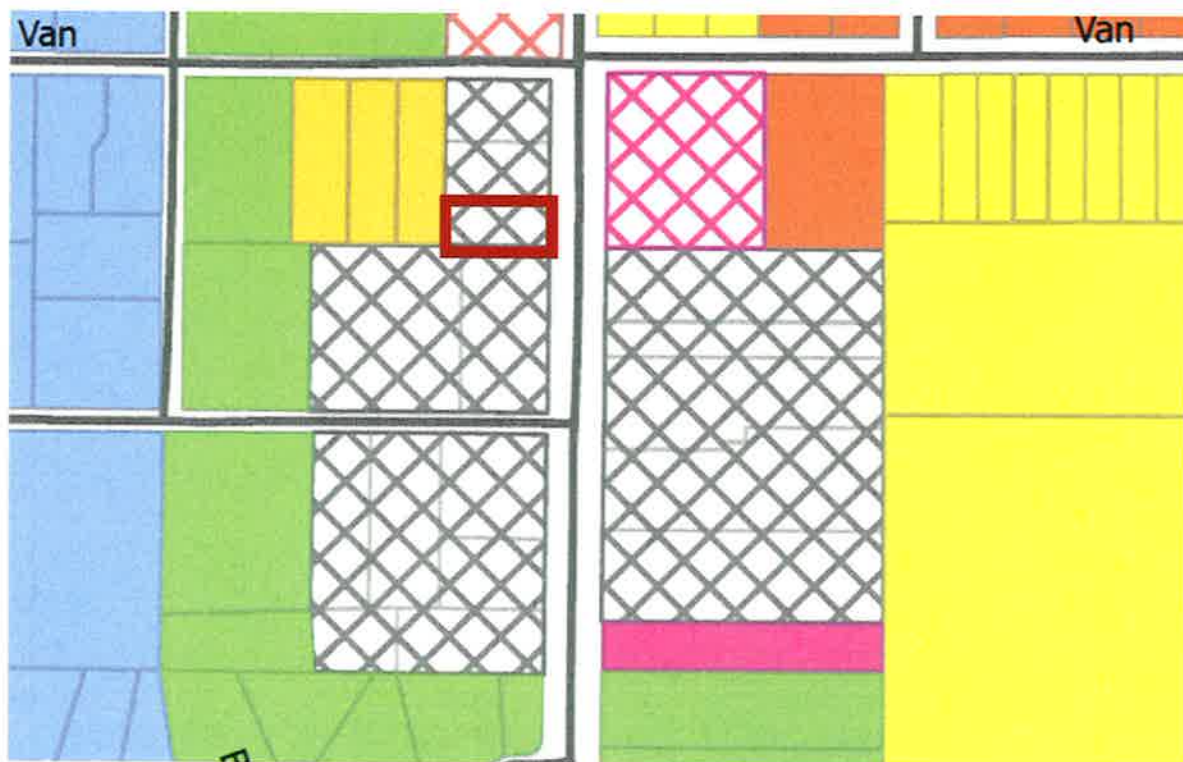
PROPOSAL:

The applicant proposes to rezone the subject property from B-3, Professional Business to B-1(A), Limited Local Business, in order to offer retail sales in addition to maintaining an office. No new development is warranted as the retail sales will operate within the existing building.

The property is located within the Olde Towne Daphne overlay district. The addition of retail sales is not anticipated to create an adverse impact on the surrounding businesses. There is an office to the north, south and southeast. The land across Main Street was recently rezoned to allow office and retail sales within a multi-use building. Whit's Custard shop, located southeast of the subject property, is also zoned B-1(A).

RECOMMENDATIONS:

B-1(A) district would be appropriate at this location, thus staff's recommendation is favorable. ***On 5/26/22, the Planning Commission unanimously voted to send Council a favorable recommendation to rezone the property to B-1(A).***



ET JURISDICTION
Zoning as of 11/30/21

- B-1 Local Business
- B-1(A) Limited Local Business District
- B-2 General Business
- B-2(a) General Business Alternate
- B-3 Professional Business
- C-2 Outdoor Amusement
- C/I Commercial/Industrial
- GC Golf Course
- MU Mixed Use

Zoning Map Excerpt

- PUD Planned Unit Development
- 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
- Parcels
- Streets
- Daphne City Limits
- Water Bodies

SUPPLEMENTAL INFORMATION

PREPARED BY STAFF

By Right in B-1, Local Business District

vs

B-1(a), Limited Local Business and B-3, Professional Business Requirements

List of Uses and Conditions by Right in B-1	B-1(a), Limited Local Business			B-3, Professional Business
	By Right	By PC Planning Commission Approval	By SE BZA	
Accessory buildings and uses, when located on the same lot or parcel as the principal structure or use and customarily incidental thereto, provided the requirements in all pertinent sections of this Ordinance are met;	B-1(a)			Right
Agriculture and related farming operations, including horticulture, plant nurseries market gardening, field crops, orchards, and home gardens		B-1(a)		Right
Air conditioning sales and service				
Ambulance/EMS service				PC app
Apparel and accessory store	B-1(a)			
Appliance store	B-1(a)			
Armory				
Art gallery or museum	B-1(a)			Special Ex (SE)
Art supplies	B-1(a)			
Bakery, retail	B-1(a)			
Bank, including drive-in bank		B-1(a)		Right
Barber shop or beauty parlor	B-1(a)			
Book store	B-1(a)			
Cafe, grill, lunch counter and restaurant but not including night club, bar, tavern and drive-in restaurant		B-1(a)		
Camera and photographic supply store	B-1(a)			
Candy, nut and confectionery store	B-1(a)			
Catering shop or service	B-1(a)			
Churches and related accessory buildings	B-1(a)			Right
City Hall, police station, fire station, courthouse, federal office building and similar public building	B-1(a)			Right
Clinic, dental, medical or psychiatric for humans		B-1(a)		Right

By Right in B-1, Local Business District

VS

B-1(a), Limited Local Business and B-3, Professional Business Requirements

List of Uses and Conditions	B-1(a), Limited Local Business			B-3, Professional Business
	By Right	By PC Planning Commission Approval	By SE BZA	
Club or lodge, fraternal, civic, charitable or similar organization, public or private, but not including any such club, lodge or organization, the chief activity of which is a service or product customarily carried on as a business	B-1(a)			
Dairy products sales	B-1(a)			
Delicatessen	B-1(a)			
Drug Store	B-1(a)			
Dry cleaning shop, including self-service		B-1(a)		
Dry goods or fabric store	B-1(a)			
Employee credit union office	B-1(a)			RIGHT
Fix-it shop, including small appliance repair		B-1(a)		
Floor covering sales and service	B-1(a)			
Floral shop	B-1(a)			
Fruit and produce, retail	B-1(a)			
Funeral home, mortuary or undertaking establishment		B-1(a)		
Gift shop	B-1(a)			
Grocery store, retail	B-1(a)			
Gymnasium, commercial		B-1(a)		
Hardware store, retail, wholesale, storage and sales	B-1(a)			
Hobby shop and supply store	B-1(a)			
Home occupation	B-1(a)			RIGHT
Ice cream parlor	B-1(a)			
Interior decorating shop	B-1(a)			
Laboratory, medical	B-1(a)			
Landscape garden sales; need not be enclosed within a structure				
Laundry, self-service	B-1(a)			
Laundry, and dry cleaning pick-up station	B-1(a)			
Leather goods or luggage goods store	B-1(a)			
Liquor, wine or beer sales not to be consumed on premises and meeting local and state requirements.				
Library	B-1(a)			

By Right in B-1, Local Business District

VS

B-1(a), Limited Local Business and B-3, Professional Business Requirements

By Right in B-1	B-1(a), Limited Local Business			B-3, Professional Business
	By Right	By PC Planning Commission Approval	By SE BZA	
Loan office	B-1(a)			
Locksmith	B-1(a)			
Music store	B-1(a)			
News stand	B-1(a)			
Night club, bar, tavern and cocktail lounge when separate from a restaurant				
Office buildings, general	B-1(a)			
Office buildings, professional	B-1(a)			RIGHT
Office equipment and supplies, retail	B-1(a)			
Optician	B-1(a)			RIGHT
Paint and wallpaper store	B-1(a)			
Photographic studio and/or processing	B-1(a)			
Plumbing shop				
Printing, blueprinting, bookbinding, photostating, lithographing and publishing establishment.		B-1(a)		RIGHT
Radio and television antenna (amateur)				RIGHT
Seafood store, retail				
Shoe repair shop	B-1(a)			
Shoe store, retail	B-1(a)			
Sporting goods store	B-1(a)			
Studio for dance or music	B-1(a)			
Studio for professional work or teaching of fine arts such as photography, drama, speech and painting	B-1(a)			
Tailor shop	B-1(a)			
Taxi dispatching station				
Taxidermy shop				
Temporary uses, including revival tents, sale of Christmas trees, carnivals, sale of seasonal fruit and vegetables from roadside stands, and similar uses, for a period not to exceed four (4) weeks in any calendar year		B-1(a)		
Tobacco store				
Toy store	B-1(a)			
Variety store	B-1(a)			

By Planning Commission Approval of BZA in B-1, Local Business District
vs
B-1(a), Limited Local Business and B-3, Professional Business Requirements

By Planning Commission Approval in B-1	B-1(a), Limited Local Business			B-3, Professional Business
	By Right	By PC Planning Commission Approval	By SE BZA	
Art sculptures, statues, monuments		B-1(a)		PCA
Automobile and truck service station including minor repair, subject to the requirements listed under Special Provisions, where the primary function is retail sale of gasoline, oil, grease, tires, batteries and accessories and where services are limited to installation of the items sold, washing, polishing, tire changing, greasing and minor repairs, but not including commercial wrecking, dismantling or auto salvage yard, major mechanical overhauling or body work; fuel pumps need not be enclosed within a structure				
Business machines sales and service		B-1(a)		
Business school or college		B-1(a)		PCA
College or university, provided that they are located on a lot fronting on an arterial street or road and that no building is located within 100 feet of any property line		B-1(a)		PCA
College sorority or fraternity house				PCA
Convenience store				
Drive-in restaurant				
Electric power substation; need not be enclosed within a structure, but must be secured by a chain link or similar fence, or raised above ground so as to be inaccessible to unauthorized persons; requires visual screen in most districts		B-1(a)		PCA
Exterminator service office				
Gas regulator station				PCA
Hospital, clinic, convalescent or nursing home, extended care facility or sanitarium for humans				PCA
Clinic, convalescent or nursing home, extended care facility or sanitarium for humans		B-1(a)		PCA

By Planning Commission Approval of BZA in B-1, Local Business District

VS

B-1(a), Limited Local Business and B-3, Professional Business Requirements

By Planning Commission Approval in B-1	B-1(a), Limited Local Business			B-3, Professional Business
	By Right	By PC Planning Commission Approval	By SE BZA	
Hotel				
Motel				
Natural preservation areas including bird and wildlife sanctuaries, nature and hiking trails		B-1(a)		
Police substation, including Highway Patrol				PCA
Post office		B-1(a)		PCA
Public utility production and maintenance buildings with proper screening				
Public utility substation with proper screening				PCA
Racquetball or tennis courts, indoor				
Tattoo facility shall be in compliance with Ordinance 2013-36				
Telephone exchange		B-1(a)		PCA
Theater, indoor		B-1(a)		
Water storage; need not be enclosed within a structure				PCA
Water or sewage pumping station				PCA
Boat docking only of pleasure boats as an accessory use to a permitted principal use; maximum of three (3) slips per unit. Boat service is prohibited				
Golf, driving range and practice tee				
Golf course, miniature				
Riding stables or academy, horses; need not be enclosed within structure				
Tennis courts or club, outdoor; need not be enclosed within a structure; no building for such purposes is located within 100 feet of any property line				

Uses Permissible in B-1 by Special Exception Approval of BZA

VS

B-1(a), Limited Local Business and B-3, Professional Business Requirements

By BZA Approval in B-1	B-1(a), Limited Local Business			B-3, Professional Business
	By Right	By PC Planning Commission Approval	By SE BZA	
Cemetery, subject to requirements of the Special Provisions				SE
Institution for children or the aged, day care				
Kindergarten, play school or day care center, public or private, provided that all activities are carried on in an enclosed building or fenced yard and that all applicable federal, state and local requirements are met.				
Lodging and tourist homes				
Oil and gas exploration and production activities				SE
Pawn Shop				
Pet shop			B-1(a)	
Picture framing and/or mirror silvering			B-1(a)	
Schools, public and/or private, elementary and/or secondary meeting the requirements of the education laws of the State of Alabama				SE
Teen club or youth center				
Tourist home			B-1(a)	
Trade school or college				
YMCA, YWCA and similar institutions				

APPLICATION & SUPPLEMENTAL INFORMATION



APPLICATION FOR REZONING OR PRE-ZONING

Office use only: Rev. 072816

Date Submitted

April 24, 2022

Application Number:

Planning Commission Public

ZA-22-04 or PZA-

Hearing Date:

May 24, 2022

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):

PPIN#(s):

1305 Main St. Daphne, AL 36526

265076

Gross Site Area (acreage):

0.19 Acres

Requested Zoning or Pre-Zoning:

B-1(A)

Current Zoning Designation(s):

B-3

Amended Request:

Initials:

Date:

Current Land Use:

Office

Anticipated Land Use:

Office / Retail

Provide Legal Description (if necessary attach separate page entitled "Legal Description for [Name of Applicant]":

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

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:

Olde Town Properties LLC

Mailing Address:

101 Pinetop Cir E. Fairhope, AL 36532

Phone/Fax: 251-233-7330

E-mail: Daniel.Nance@Bellsouth.net

Name of Authorized Agent:

Ryan Robinson, Konbit Haiti

Mailing Address:

P.O. Box 1227 Montrose, AL 36559

Phone/Fax: 251-586-2378

E-mail: ryanrobinson82@gmail.com

Name of Developer*:

Olde Town Properties LLC

Phone/Fax:

E-mail:

Other:

Daniel Nance

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:

Date 4/26/2022

Agent's Signature:

Date 4/26/2022

**OLDE TOWN PROPERTIES, L.L.C
ZONING AMENDMENT**

SOUTHWEST OF THE INTERSECTION OF MAIN STREET AND VAN AVENUE

EXHIBIT "A"

**STATE OF ALABAMA
COUNTY OF BALDWIN**

DESCRIPTION OF PROPERTY TO BE REZONED FROM (B-3), PROFESSIONAL BUSINESS, TO (B-1(a)), LIMITED LOCAL BUSINESS

LOT 2, MORSE SUBDIVISION, PER PLAT RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA, SLIDE 2176-D, CONTAINING 0.19 ACRES, MORE OR LESS.



80' - Right-of-Way (Paved)

(STATE OF ALABAMA)
(COUNTY OF BALDWIN)

I, MATTHEW S. KOUNTZ, A REGISTERED
LAND SURVEYOR, HEREBY STATE THAT
ALL PARTS OF THIS SURVEY AND DRAWING
HAVE BEEN COMPLETED IN ACCORDANCE
WITH CURRENT REQUIREMENTS OF THE
STANDARDS OF PRACTICE FOR
SURVEYING IN THE STATE OF ALABAMA TO
THE BEST OF MY KNOWLEDGE,
INFORMATION AND BELIEF.

I FURTHER STATE THAT THE IMPROVEMENTS PRESENTLY SITUATED ON SAID PROPERTY ARE LOCATED WITHIN THE BOUNDARIES THEREOF; THAT THERE ARE NO ENCROACHMENTS UPON SAID PROPERTY BY BUILDINGS OR FENCES SITUATED ON ADJOINING PROPERTY; AND THAT THERE ARE NO JOINT DRIVEWAYS, EASEMENTS, NOR RIGHTS-OF-WAYS, EXCEPT AS NOTED HEREON.

ALL ACCORDING TO MY SURVEY MADE
THIS THE 20TH DAY OF APRIL, 2022. I
ALSO STATE THAT THIS DRAWING AND OR
CERTIFICATION DOES NOT REFLECT ANY
TITLE OR EASEMENT RESEARCH, OTHER
THAN WHAT IS VISIBLE ON THE GROUND
OR PROVIDED BY THE CLIENTS AT TIME OF
SURVEY.

MATTHEW S. KOUNTZ, P.L.S.
ALABAMA REG. NO. 20359

LOT 2, MORSE SUBDIVISION, PER PLAT
RECORDED IN THE OFFICE OF THE JUDGE
OF PROBATE OF BALDWIN COUNTY,
ALABAMA ON SLIDE 2176-D. (Description
supplied by client)

DAPHNE, AL 36526

NOT VALID
WITHOUT
EMBOSSSED
SEAL

Phone: (251) 990-0815 Fax: (251) 990-0866

REVISIONS		
DESCRIPTION	DATE	BY

58

SEAL

1305 Main St. Daphne, AL 36526

Front View



COMMUNITY DEVELOPMENT



May 12, 2022

Dear Sir/Ma'am,

NOTICE OF PUBLIC HEARING

A petition for REZONING will be considered by the Daphne Planning Commission. Olde Town Properties, L.L.C. proposes to rezone 0.19 acres +/- located southwest of Van Avenue and Main Street from B-3, Professional Business, to B-1(a), Limited Local Business.

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, May 18, 2022 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, May 26, 2022 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

Olde Town Properties, L.L.C. Zoning Amendment

Adjacent Property Owners List

North Side Property Owner

Lot: 127; Zoned: B-3
SWEETWATER PROPERTIES L L C
P O BOX 241
FAIRHOPE, AL 36533

East Side Property Owner

Lot: 90; Zoned: B-1(A)
BN PROPERTIES L L C
2510 MAIN ST
DAPHNE, AL 36526

Lot: 90.001; Zoned: B-3
1300 MAIN STREET L L C
1300 MAIN STREET
DAPHNE, AL 36526

South Side Property Owner

Lot: 128; ZONED: B-3
GLASS PROPERTIES L L C
1303 MAIN ST
DAPHNE, AL 36526

Lot: 129; Zoned: B-3
WALKER, THOMAS M & EVELYN B
P O BOX 1545
DAPHNE, AL 36526

West Side Property Owner

Lot: 130.002; Zoned: R-6(G)
LIMITLESS BY TRULAND HOMES L L C
29891 WOODROW LN STE 150
SPANISH FORT, AL 36527

Property Owner

Lot: 127.001
Current Zoning: B-3
Proposed Zoning: B-1(A)
OLDE TOWN PROPERTIES LLC
101 PINETOP CIRCLE E
FAIRHOPE, AL 36532

Authorized Agent

RYAN ROBINSON
PO BOX 1262
MONTROSE, AL 36559

**OLDE TOWN PROPERTIES, L.L.C
ZONING AMENDMENT**

SOUTHWEST OF THE INTERSECTION OF MAIN STREET AND VAN AVENUE

EXHIBIT “A”

**STATE OF ALABAMA
COUNTY OF BALDWIN**

DESCRIPTION OF PROPERTY TO BE REZONED FROM (B-3), PROFESSIONAL BUSINESS, TO (B-1(a)), LIMITED LOCAL BUSINESS

LOT 2, MORSE SUBDIVISION, PER PLAT RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA, SLIDE 2176-D, CONTAINING 0.19 ACRES, MORE OR LESS.

COMMUNITY DEVELOPMENT



May 27, 2022

Olde Town Properties LLC
Attn.: Daniel Nance
101 Pinetop Circle East
Fairhope, AL 36532

Subject: Olde Town Properties Zoning Amendment Application #ZA22-04

Dear Mr. Nance,

On May 26, 2022, the Daphne Planning Commission set forth a favorable recommendation to the City Council to rezone the 0.19 acre subject property southwest of Van Avenue and Main Street from B-3, Professional Business to B-1(a), Limited Local Business.

Documentation of this recommendation will be sent to the City Clerk for further processing.

If you have any questions feel free to contact me.

Sincerely,

Adrienne D. Jones, AICP

Community Development Director & Zoning Administrator

cc: City Clerk – Email
Ryan Robinson – Email
File

**COMMUNITY DEVELOPMENT
INTERNAL MEMORANDUM**



DATE: May 31, 2022
TO: Office of the City Clerk
FROM: Adrienne Jones, AICP,  Director of Community Development
SUBJECT: Official City of Daphne Zoning Map Update

At the May 26, 2022 regular meeting of the City of Daphne Planning Commission, seven members were present. The motion carried unanimously to set forth a ***favorable recommendation*** to approve the Official City of Daphne Zoning Map (codifications were approved between December 1, 2021 through May 31, 2022).

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)

cc: file

Zoning and Street Map Edits: December 1, 2021 through May 31, 2022

Legislative Annexation	Governor Approval Date	Act #	Zoning Classification	Property Size (Acres)
N/A				
Annexation by Council Action	Council Approval Date	Council Action Ordinance #		Property Size (Acres)
Iris P. DeFilippi	1/3/22	2022-03		1.688
Reserve GCOF, etal	2/21/22	2022-13		444.97
Red Barn, LLC	05/16/22	2022-28		108.3
Prezoning	Council Approval Date	Ordinance #	Zoning Classification	Property Size (Acres)
Iris P. DeFilippi	1/3/22	2022-02	B-2	1.688
Reserve GCOF, etal	2/21/22	2022-11	R-3	258.43
Reserve GCOF, etal	2/21/22	2022-12	R-2 and R-6(G)	69.14 and 108.59+8.82
Red Barn, LLC	05/16/22	2022-27	R-6(G)	108.3
Rezoning Petitions	Council Approval Date	Ordinance #	Old/New Zoning Classification	Property Size (Acres)
Street Acceptances	Approved	Resolution #	Linear Feet	Miles
French Settlement Phase 4A	04/18/22	2022-14	466	0.088
Jubilee Farms Phase 11	05/16/22	2022-23	4,642	0.890

Zoning and Street Map Edits: December 1, 2021 through May 31, 2022

Background:

This map update includes map amendments which have resulted from annexation, pre-zoning, rezoning and street acceptances that have been approved by the City Council between the months of December 1, 2021 and May 31, 2022, as well as any map corrections documented by Baldwin County.

Staff Recommendation:

Staff recommends that the Planning Commission set forth a favorable recommendation to City Council to adopt the amended the Official Zoning Map and the Official Street Map.

**July 5, 2022
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:00 P.M.**

1. CALL TO ORDER:

There being a quorum present Council President Joel Coleman called the meeting to order at 6:01pm.

2. ROLL CALL:

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

COUNCIL MEMBERS ABSENT: Doug Goodlin

Also Present: Candance Antinarella, City Clerk; Jay Ross, City Attorney; Mayor LeJeune (arrived 6:03pm); Chief Carpenter, Police; Troy Strunk, City Development; Chief LeAnn Tacon, Fire; Ronnie Huskey, Public Works; Josh Newman, City Engineer; Ange Baggett, Marketing; Tonja Young, Library; Adrienne Jones, Planning; Kelli Reid, Finance; and Jessica Linne, Assistant City Clerk.

INVOCATION/PLEDGE OF ALLEGIANCE

Invocation was given by Reverend Thack Dyson, St. Paul's Episcopal Church.

3. APPROVAL OF MINUTES:

The minutes from the June 20, 2022 regular meeting were approved.

4. REPORT OF STANDING COMMITTEES:

A. FINANCE COMMITTEE

Councilwoman Conaway said the minutes from the June 20th Finance meeting were in the packet. She shared the Treasurer's Report for May 2022: Unrestricted Fund Balance - \$26,456,637; Total Cash Balance - \$41,141,167; Sales Tax for April 2022 - \$2,372,378; Lodging Tax for April 2022 - \$146,033.

B. BUILDINGS & PROPERTY COMMITTEE

Councilwoman Phillips said the next meeting is July 11th at 5:15pm.

C. PUBLIC SAFETY COMMITTEE

Councilman Hughes said the next meeting is July 11th at 4:30pm.

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE

Councilman Olen said the next meeting is August 1st at 4:30pm.

E. PUBLIC WORKS COMMITTEE

Councilman Goodlin was absent. Councilman Coleman said the committee met earlier and the next meeting is August 1st at 5:15pm.

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments

Adrienne Jones said there was no meeting in July and no report.

B. Downtown Redevelopment Authority

Councilwoman Conaway said the next meeting is July 21st at 5:30pm.

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C. Industrial Development Board

Councilman Scott said the July meeting is cancelled and he is waiting to hear if they reschedule before the August meeting.

D. Library Board

Councilwoman Phillips said the next meeting is July 14th at 4:30pm.

E. Planning Commission

Councilman Olen said the next meeting is July 28th at 5:00pm.

F. Recreation Board

Councilman Hughes said the next meeting is July 6th at 6:00pm. He said the Recreation Board will present at the next Work Session.

G. Utility Board

Councilman Coleman said next meeting is July 27th at 5:00pm.

6. PUBLIC PARTICIPATION:

Public Participation opened at 6:06pm.

Kathy Morris, 201 Bradbury Circle, said she is aware letters have been sent to the Council regarding Lake Forest POA. She said things have not been communicated from the Board and to know the Board doesn't represent members of Lake Forest.

Public Participation closed at 6:08pm.

7. MAYOR'S REPORT:

Mayor LeJeune thanked the Council and staff for their thoughts and prayers. He said the Fireworks went great last night. He thanked all the staff who made that event a success. He thanked his family for their support during his recent diagnosis.

8. CITY ATTORNEY REPORT:

City Attorney said there was no report but he was glad the Mayor was back.

9. DEPARTMENT HEAD COMMENTS:

Chief Carpenter, Police, said there were no issues at the Fireworks and the 5-year-old involved in the incident recently is doing much better.

Ange Baggett, Marketing and Tourism, thanked staff for a great fireworks event. She said upcoming Civic Center and Senior Center events. She mentioned "Jubilee Jane" and encouraged people to take her along with them on vacation and submit pictures to the City.

Tonja Young, Library, said the Library had over 9,000 citizens visit last month and the summer reading program is in full swing.

Josh Newman, Engineering, updated the Council on the Lake Shore project.

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10. **CITY CLERK'S REPORT:**

**MOTION by Councilwoman Phillips to approve the Buckaroo Stampede 5k on May 13, 2023 from 8:00am – 10:00am. Seconded by Councilman Hughes.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilwoman Phillips to approve the publication and set a public hearing on August 15, 2022 for the Proposed Amendments to the Land Use and Development Ordinance, Article 13, District Requirements, and Article 16, Parking Requirements for All Districts. Seconded by Councilman Hughes.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Hughes to approve the publication and set a public hearing on August 15, 2022 for the Proposed Amendments to the Land Use and Development Ordinance, Article 14, Olde Towne Daphne District, and Article 36, The Village Overlay District. Seconded by Councilwoman Phillips.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Hughes to approve the publication and set a public hearing on August 15, 2022 for the Proposed Amendments to the Land Use and Development Ordinance, Article 16, Parking Requirements for All Districts, and Article 35, Table of Permitted Uses. Seconded by Councilwoman Phillips.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Hughes to approve the publication and set a public hearing on August 15, 2022 for the Proposed Amendments to the Land Use and Development Ordinance, Article 9, District Provisions, Article 12, Establishment of Districts, and Article 28, Fixed Dwelling Provisions. Seconded by Councilwoman Phillips.
MOTION CARRIED UNANIMOUSLY.**

City Clerk said she is reaching out to the Junior City Council applicants to schedule interviews.

11. **RESOLUTIONS & ORDINANCES:**

A. RESOLUTIONS:

2022 – 34 – 2022-V-Police Uniforms

2022 – 35 – 2022-U-Concession Services

2022 – 36 – 2022-S-Drainage Improvements at Lakeshore Drive-Negotiated

2022 – 37 – 2022-T-D'Olive Bay Boat Launch

2022 – 38 – Retiree One-Time Lump Sum Payments Act 2022-229

2022 – 39 – Setup New Depository Account and Transfer of Funds for: Money Market, Operating, Payroll, Credit Card, Flexible Spending and Court Account

2022 – 40 – Official City of Daphne Street Map Update

**July 5, 2022
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6:00 P.M.**

2022 – 41 – Acceptance of Roads and Rights-of-Ways – Jubilee Farms Subdivision, Phase 14

**MOTION by Councilman Scott to waive the reading of Resolutions 2022-34, 2022-35, 2022-36, 2022-37, 2022-38, 2022-39, 2022-40 and 2022-41. Seconded by Councilwoman Conaway.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Scott to adopt Resolutions 2022-34 and 2022-35. Seconded by Councilman Hughes.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Scott to adopt Resolution 2022-36. Seconded by Councilman Olen.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Hughes to adopt Resolution 2022-37. Seconded by Councilwoman Phillips.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilwoman Phillips to adopt Resolution 2022-38. Seconded by Councilman Hughes.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilwoman Conaway to adopt Resolution 2022-39. Seconded by Councilman Olen.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilwoman Conaway to adopt Resolution 2022-40. Seconded by Councilman Hughes.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilwoman Conaway to adopt Resolution 2022-41. Seconded by Councilman Scott.
MOTION CARRIED UNANIMOUSLY.**

ORDINANCES:

B. 2nd READ ORDINANCES:

2022 – 38 – Pre-Zone Property Located Southeast of the Intersection of Pleasant Road and County Road 13 – Ann E. Berga and Teresa Warner

2022 – 39 – Ordinance to Annex Property Contiguous to the Corporate Limits of the City of Daphne – Southeast of the Intersection of Pleasant Road and County Road 13 – Ann E. Berga and Teresa Warner

**MOTION by Councilman Scotts to waive the reading of Ordinances 2022-38 and 2022-39. Seconded by Councilman Hughes.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Scott to adopt Ordinance 2022-38. Seconded by Councilman Hughes.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Scott to adopt of Ordinance 2022-39. Seconded by Councilwoman Phillips.
MOTION CARRIED UNANIMOUSLY.**

**July 5, 2022
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C. 1ST READ ORDINANCES:

2022 – 40 – Appropriation: 2022 – S – Drainage Improvements at Lakeshore Drive – Negotiated-\$969,376

2022 – 41 – Appropriation: 2022 – T – D'Olive Bay Boat Launch - \$556,565

2022 – 42 – Appropriation: Retiree One-Time Lump Sum Payments - \$46,992

2022 – 43 – Appropriation: Outdoor Fitness Court at Trione Park - \$100,000

2022 – 44 – Ordinance Consenting to and Accepting the Conveyance of Certain Real Property by the Utilities Board of the City of Daphne to the City of Daphne

12. COUNCIL COMMENTS:

Councilwoman Conaway said it was good to have the Mayor back.

Councilman Olen agreed with Councilwoman Conaway's comments on the Mayor. He spoke to those who came forward about the Lake Forest POA. He said he feels the Board needs to have an election and that the Board is not representing members of the Lake Forest community.

Councilman Scott said he was glad to see the Mayor and that he appreciated Daphne Fire Department's Facebook post about the fireworks in Daphne.

Councilman Hughes said it was great to see the Mayor and his parents. He thanked staff for their work.

Councilwoman Phillips agreed with Councilman Hughes. She thanked Public Works for their recent help with an accident involving a tree and her family. She said she is glad the Council supports the Mayor's vision for the City.

Council President Coleman said it was nice to see the Mayor's parents and he is thankful Robin is his Mayor and a friend.

13. ADJOURN:

THERE BEING NO FURTHER BUSINESS TO DISCUSS, COUNCIL ADJOURNED AT 6:37 PM.

Respectfully submitted by,

Certification of Presiding Officer,

Candace G. Antinarella, CMC, City Clerk

Joel Coleman, Council President



City of Daphne Event Permit Application

TYPE OF PERMIT:

- ☐ Special Event/Fundraiser ☒ Parade/Run (Streets Use) ☐ Walk (Sidewalks Only)
☐ Athletic Complex/Sporting Event ☐ Other: _____

APPLICANT & ORGANIZATION INFORMATION

ORGANIZATION NAME: Apollo's Mystic Ladies

APPLICANT NAME: Michelle Henderson

STREET: P.O. Box 3133 CITY, STATE, ZIP: Daphne AL 36526

CONTACT PHONE: 251-767-9268 EMAIL: amlco7@yahoo.com

"ON SITE" CONTACT PERSON DAY OF EVENT: Michelle Henderson

CELL PHONE: 251-767-9268 EMAIL: amlco7@gmail.com

EVENT INFORMATION

EVENT NAME: Apollo's Mystic Ladies Parade

TYPE OF/PURPOSE OF EVENT: mardi gras parade

EVENT DATE: February 10, 2023 TIME (START- END): 6:45pm - 8:30 pm

ASSEMBLY TIME: 5:30pm # PARTICIPANTS/VEHICLES: approx 35

EVENT LOCATION: mardi gras route - Olde Towne

FULL DESCRIPTION OF EVENT (PLEASE LIST ANY TENTS, STAGING, PORT-O-LETS, OR SIMILAR ITEMS THAT WILL BE USED ON-SITE): If necessary, rain makeup date is February 16, 2023 at 6:45pm

SPECIAL REQUESTS

ROAD CLOSURE(S) REQUESTS: ☒ Yes* ☐ No *If Yes, please indicate which City Route is requested: _____

WILL YOUR EVENT REQUIRE BARRICADES: ☒ Yes* ☐ No *If Yes, please indicate quantity & location: _____

WILL YOUR EVENT REQUIRE ELECTRICITY: ☐ Yes* ☒ No *If Yes, you must provide your own extension cords

WILL YOUR EVENT REQUIRE WATER: ☐ Yes* ☒ No *If Yes, you must provide your own hose(s)

OTHER SPECIAL ITEMS FOR RENT:

TENTS: 20' X 40' # _____ X \$321.00 10' X 10' # _____ X \$123.00/EACH

TABLES: 8' L # _____ X \$45.00/EACH CHAIRS: # _____ X \$12.00/EACH

OTHER SPECIAL REQUESTS: _____

MARKETING & COMMUNICATIONS

PLEASE NOTE: As a City permitted event, the City of Daphne should be listed as a sponsor on all marketing materials promoting your event, such as, but not limited to, posters, social media outlets, website(s), t-shirts, promo items, etc. It is the event organizer's responsibility to request the official City logo from our Marketing & Events Department in a proper format. No other City of Daphne logo should be utilized. Please initial acknowledgement: MH

Is your event open to the general public? ☒ Yes* ☐ No

* If Yes, do you wish for your event to be listed and/or shared on: www.daphneal.com? ☒ Yes ☐ No

Facebook.com? ☐ Yes ☐ No Instagram? ☐ Yes ☐ No LinkedIn? ☒ Yes ☐ No

MARKETING CONTACT (IF DIFFERENT THAN EVENT APPLICANT OR "ON SITE" EVENT CONTACT):

NAME: _____ CONTACT PHONE: _____

OTHER MARKETING REQUESTS: _____

REVENUE/BUSINESS LICENSE

WILL SALES BE GENERATED AT YOUR EVENT: ☐ Yes** ☒ No ** If Yes, please provide your City of Daphne Business License Number here: _____

PLEASE NOTE: If you are providing food trucks or other third-party vendors, they MUST be a licensed business with the City of Daphne.

INDEMNITY & HOLD HARMLESS AGREEMENT

In consideration of the permission granted to me by the City of Daphne to use grounds, sidewalks, and/or streets, I hereby indemnify and hold harmless the City of Daphne, its agents, servants and employees from any and all claims and causes of action that may arise from injury to me or third party using the grounds, sidewalks, and/or streets who are injured or suffer property damage that is in any way caused by my use of the grounds, sidewalks, and/or streets. This indemnity and hold harmless agreement is given to the City of Daphne to protect the City and its agents, servants, and employees from cost of defense and claims for injuries and damages that may be caused either directly or indirectly by my use of grounds, sidewalks, and/or streets.

Further, I have read and understand all rules and regulations according to the City of Daphne Ordinance No. 2017-35 as set forth by the governing body of the City of Daphne and will abide by these rules and regulations. I understand that damage to City property, grounds, sidewalks, and/or streets can and will result in additional fees. I also understand that if at any time the City of Daphne appointed Law Enforcement, Code Enforcement, or other personnel feel that said rules and regulations are not being followed the function will be terminated with no refund of said fees.

I have read and understand the above, including the cancellation and indemnity policies.

APPLICANT SIGNATURE: Michelle Henderson

DATE: July 8 2022

INTERNAL USE ONLY

DATE REC'D: 7-8-2022

CITY CLERK: _____

FIRE DEPT: [Signature]

APPROVED ROUTE: _____

POLICE DEPT: [Signature]

ROUTE MAP ATTACHED: ☐ Yes ☐ No

PUBLIC WORKS: [Signature]

SPORTS & RECREATION: _____

EVENT FEE: ☐ Paid \$ _____ CHK# _____

MARKETING & EVENTS: Ange Roysko

☐ Waived: _____

** REVENUE: _____

PROOF OF INSURANCE REC'D: ☐ Yes ☐ No

**CITY OF DAPHNE, ALABAMA
RESOLUTION 2022-42**

**REQUEST FOR PROPOSALS REGARDING SELF-FUNDED HEALTH
INSURANCE PLAN**

WHEREAS, The City of Daphne's health insurance plan for its employees is up for renewal for the 2022-2023 fiscal year; and

WHEREAS, The City of Daphne has been enrolled in a fully insured health plan administered by Blue Cross Blue Shield of Alabama; and

WHEREAS, The City of Daphne is in the process of analyzing and evaluating the potential cost savings if the Blue Cross Blue Shield plan were to be converted to a self-insured plan; and

WHEREAS, in March of 2022, The City of Daphne issued a Request for Qualifications (RFQ) for Self-Funded Health Insurance Broker/Consultant Services; and

WHEREAS, in March of 2022, The City of Daphne received responses to its RFQ from five (5) consultants, namely Cobbs Allen, FSA Risk +Benefits, Gallagher Benefit Services, HUB International and McGriff Insurance Services; and

WHEREAS, The City of Daphne desires to obtain as much information and analysis as possible regarding possible conversion to a self-funded health insurance plan.

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

1. That on Tuesday, July 19, 2023, The City of Daphne shall issue a request for proposals regarding a partial self-funded health plan to each of the five (5) consultants who responded to the RFQ, namely Cobbs Allen, FSA, Gallagher, HUB and McGriff; and

2. That the deadline for submission of these proposals shall be Tuesday, August 16, 2022 at 5pm; and

3. That complete copies of each proposal received by The City of Daphne shall be provided to the Mayor, to each member of the City Council and to the City Finance Director.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS ____ day of July, 2022.

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2022-40**

APPROPRIATION: LAKESHORE DRIVE DRAINAGE IMPROVEMENTS PROJECT

WHEREAS, Ordinance 2021-49 approved and adopted the Fiscal Year 2022 Budget on September 20, 2021; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2022 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2022 budget; and

WHEREAS, Lakeshore Drive Drainage Improvements Project has been bid with a total construction cost of \$969,376 (Construction - \$923,215 and Contingency \$46,161); and

WHEREAS, the City wishes to use a portion of the Coronavirus State and Local Recovery Funds (SLFRF) received pursuant to the American Rescue Plan Act (ARPA) for funding this project; and

WHEREAS, the City has elected to take a standard allowance of up to \$10 million in revenue loss as allowed by the U.S. Department of Treasury and deemed its SLFRF funds to be used to provide government services under this allowance; and

WHEREAS, the City has determined this project qualifies as government services.

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

1. Funds in the amount of **\$969,376** from the **COVID-19 Relief Fund** are appropriated and made a part of the Fiscal Year 2022 budget for the City's portion of the project herein described.
2. The Mayor is hereby authorized to execute all documents required in order for the City of Daphne to participate in such project.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA this _____ day of _____, 2022.

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2022-41**

APPROPRIATION: D'OLIVE BAY BOAT RAMP PARKING LOT IMPROVEMENTS

WHEREAS, Ordinance 2021-49 approved and adopted the Fiscal Year 2022 Budget on September 20, 2021; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2022 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2022 budget; and

WHEREAS, the City would like to provide both adequate and safe parking for the D'Olive Bay Boat Ramp access; and

WHEREAS, the City will receive funds in the amount of \$337,500 from the Alabama Department of Conservation and Natural Resources to assist with the construction costs of the renovation of the boat launch parking lot and installation of a kayak launch at D'Olive Bay; and

WHEREAS, the D'Olive Bay Boat Ramp Parking Lot Improvements Project has been bid with total project cost of \$894,065 (Construction - \$793,675, Engineering - \$42,000, Miscellaneous - \$18,706 and Contingency - \$39,684); and

WHEREAS an appropriation in the amount of \$556,565 is needed to complete the D'Olive Bay Boat Ramp Parking Lot Improvement Project.

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

1. Funds in the amount of **\$556,565** from the **General Fund and transferred to the Capital Reserve Fund** are appropriated and made a part of the Fiscal Year 2022 budget for the D'Olive Bay Boat Ramp Parking Lot Improvements project.
2. The Mayor is hereby authorized to execute any and all documents required in order for the City of Daphne to participate in such project.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ DAY OF _____, 2022.

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2022-42**

APPROPRIATION FOR RETIREE ONE-TIME LUMP SUM PAYMENT

WHEREAS, Ordinance 2021-49 approved and adopted the Fiscal Year 2022 Budget on September 20, 2021; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2022 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2022 budget; and

WHEREAS, Act 2022-229 of the Regular Session of the Alabama Legislature provides the City of Daphne with the opportunity to grant a one-time lump sum payment to retired members or beneficiaries of deceased retirees who retired prior to March 1, 2022, and are entitled to receive a monthly benefit from the Employees' Retirement System (ERS) on September 30, 2022; and

WHEREAS, the Act provides for the retiree to receive a one-time lump sum payment of \$2.00 for each month of service credited to the retiree's account or a beneficiary of a deceased retiree; and

WHEREAS, the estimated cost to provide this payment will be \$46,992 and the City desires to make a one-time payment to ERS in lieu of adding 0.34% to the required employer contribution rate for the period October 1, 2023 – September 30, 2023; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, that monies from the General Fund in the amount of \$46,992 are hereby appropriated to provide a one-time lump sum payment to retired members and beneficiaries of deceased retirees.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ DAY OF _____, 2022.

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2022-43**

APPROPRIATION: OUTDOOR FITNESS COURT AT TRIONE PARK

WHEREAS, Ordinance 2021-49 approved and adopted the Fiscal Year 2022 Budget on September 20, 2021; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2022 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2022 budget; and

WHEREAS, Ordinance 2012-48 sets forth an allocation of Lodging Tax proceeds that may be used for recreation improvements; and

WHEREAS, the outdoor Fitness Court at Trione Park project meets such criteria; and

WHEREAS, the City has applied for and been awarded a \$50,000 grant from National Fitness Campaign (NFC) Committee and Statewide Partners to promote and implement a free-to-the-public outdoor Fitness Court to be located at Trione; and

WHEREAS, the total cost of this fitness court is estimated to be \$200,000 (\$142,350 – Fitness Court; Installation - \$25,000; Sitework - \$20,000; Contingency - \$12,650); and

WHEREAS, \$50,000 in previously unspent appropriated funds for Trione Park is available to be used for this project. However, an additional appropriation of \$100,000 is needed to complete the outdoor Fitness Court at Trione Park.

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

1. Funds in the amount of **\$100,000** from the **Lodging Tax Fund** are appropriated and made a part of the Fiscal Year 2022 budget for the outdoor Fitness Court at Trione Park.
2. The Mayor is hereby authorized to execute all documents required in order for the City of Daphne to participate in such project.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE ALABAMA this _____ day of _____, 2022.

Robin LeJeune, Mayor

Attest:

Candace G. Antinarella, CMC, City Clerk

**CITY OF DAPHNE
ORDINANCE 2022-44**

**AN ORDINANCE CONSENTING TO AND ACCEPTING THE CONVEYANCE OF CERTAIN
REAL PROPERTY BY THE UTILITIES BOARD OF THE CITY OF DAPHNE TO THE CITY
OF DAPHNE**

WHEREAS, The Utilities Board of the City of Daphne, a public corporation (“Daphne Utilities”), has expressed a desire to convey one (1) remnant tract of real property to the City of Daphne (the “City”);

WHEREAS, said real property is located within the corporate limits of the City of Daphne, Alabama and the tract of real property is more particularly described as follows (the “Property”):

117'(S) X 200'(S) IRR COM AT THE SW COR OF SEC 20 RUN TH E 6
50'(S), TH N 40' FOR THE POB TH CONT N 223.9', TH E 155'(S),
TH S 200'(S), TH W 117'(S), TH S 35'(S), TH W 38'(S) TO THE
POB IN THE CITY OF DAPHNE SEC 20-T5S-R2E (ST WD)

WHEREAS, the Property was originally part of an approximately 1.9-acre parcel of real property that was previously owned by the City, and conveyed to Daphne Utilities on September 18, 1975;

WHEREAS, on August 29, 2007, with the consent of the Daphne City Council, Daphne Utilities conveyed approximately 1.2 acres of the original parcel to the Utilities Board of the City of Foley d/b/a Riviera Utilities, but Daphne Utilities retained the Property as a remnant parcel, a portion of which contains the right-of-way known as “Shop Lane” that provides the City with vehicular access to other City-owned property from Johnson Road;

WHEREAS, Daphne Utilities has no use for the Property, and wishes to convey it back to the City for continued use as a right-of-way and for uses associated with the Daphne Animal Shelter, and for any other use the City deems appropriate therefor;

WHEREAS, Section 11-50-314(a)(10) of the Code of Alabama (1975) authorizes Daphne Utilities to dispose of its real property by any form of legal conveyance or transfer; provided, however, that the City Council of the City of Daphne must consent to the conveyance and such consent must be evidenced by a duly adopted ordinance of the City Council, which ordinance shall be adopted within thirty (30) days of such conveyance;

WHEREAS, the City has investigated, reviewed, and determined that the Property would be of benefit to the City;

WHEREAS, the City Council of the City of Daphne wishes to consent to Daphne Utilities’ conveyance of the Property to the City; and

WHEREAS, the City of Daphne does hereby accept the conveyance and transfer of the Property back to the City.

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

1. That the City Council consents to the conveyance of the Property by Daphne Utilities to the City;

2. That the Property be and is hereby accepted by the City of Daphne;
3. That the Mayor and Clerk of the City are each hereby authorized to execute such documents related to the closing and acceptance of the Property as deemed necessary by the City Attorney; and
4. That the City shall recompensate Daphne Utilities for its conveyance by placing signage, in size and with such content as may be approved by the Mayor and the Chair of Daphne Utilities, at the proposed new Daphne Animal Shelter.

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE,
ALABAMA ON THIS THE _____ DAY OF _____, 2022.**

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2022-45**

**AN ORDINANCE CONSENTING TO THE SALE BY THE UTILITES BOARD OF
THE CITY OF DAPHNE OF CERTAIN SURPLUS PERSONAL PROPERTY**

WHEREAS, the Utilities Board of the City of Daphne (“Daphne Utilities”) is required to receive the consent of the City of Daphne before it sells property under the provisions of Ala. Code §11-50-314(a)(10); and

WHEREAS, the management of Daphne Utilities has determined that it is in the best interest of Daphne Utilities to sell the personal property described in Exhibit “2022-A”; and

WHEREAS, the Board of Directors of Daphne Utilities has approved the sale of the personal property described in Exhibit “2022-A”.

NOW, THEREFORE, BE IT ORDAINED that the City Council of the City of Daphne does hereby consent to the sale by Daphne Utilities of the personal property described in Exhibit “2022-A”.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA on this _____ day of _____, 2022.

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk

EXHIBIT "A"

Surplus lime feeder



Fixed Asset Number	Make / MFG	Model	Serial No.	Description	Approx. Value	Year Acquired / Age	Dept.
0-1262	John Deere		M00955DOO5023	Tractor	\$2,000.00		Maint.



**CITY OF DAPHNE
ORDINANCE 2022-46**

**AN ORDINANCE TO AMEND AND MAKE ADDITIONS
TO THE CITY'S EMPLOYEE HANDBOOK**

WHEREAS, the City Council of the City of Daphne, after due consideration, believes it appropriate to adopt three new policies to the Employee Personnel Handbook and combine, rename, and amend several sections of the City of Daphne Employee Handbook;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA AS FOLLOWS:

SECTION I:

That the current Employee Handbook Sections be amended to include two new policies to be numbered as Sections 10.16 and 10.17:

Section 10.16 Bilingual Proficiency Pay
Section 10.17 American Sign Language Proficiency Pay

The specific text of the new sections is set forth in Exhibit A to this Ordinance.

That the following Sections of the Employee Handbook be combined, renamed and amended from Section 10.8 Merit Based Pay Increases and Section 10.9 Cost of Living Adjustments to Section 10.8 Pay Increases.

The specific revisions and section is set forth in Exhibit B to this Ordinance.

SECTION II: REPEALER

That any Ordinance, or parts thereof, heretofore adopted by the City Council of Daphne, Alabama, which is in conflict with this Ordinance be and is hereby repealed to the extent of such conflict.

SECTION III: SEVERABILITY

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION IV: EFFECTIVE DATE

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 publication as required by law.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS ____ DAY OF _____, 2022.

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk

EXHIBIT B

AMENDMENTS
OF
EXISTING POLICIES

COMBINATION, RENAMING, AND AMENDMENT OF SECTIONS 10.8 AND 10.9

Combine, rename, and amend the existing policies as follows:

10.8. PAY INCREASES

Merit-based pay increases may be awarded to individual employees based on performance. The City's appraisal system allows for a pay increase to be awarded each year at the time of the employee's anniversary date of hire or anniversary date of promotion. Department Heads are responsible for the annual performance evaluation be completed and received by Human Resources when scheduled. Merit increases are effective during the first pay period following receipt of the performance evaluation in Human Resources. If the performance evaluation is not completed on time, the merit increase will be effective the first pay period after receipt and cannot be retroactive.

The performance appraisal rating scale and the associated salary increases are as follows:

PERFORMANCE APPRAISAL SCORE		SALARY
FROM	TO	INCREASE
3.00	3.39	1.50%
3.40	3.79	2.00%
3.80	4.19	2.50%
4.20	4.59	3.00%
4.60	5.00	3.50%

If an employee's performance appraisal score falls exceed 4.59, the Mayor has discretion to provide an additional percentage pay increase above 3.5% in 0.5% increments, not to exceed a total of a 5% pay increase.

The Human Resource Director will place documentation concerning approved merit increases and the reasons for approval in the employee's personnel file.

Human Resources will provide Finance a quarterly report for preparation of a budget adjustment to allocate costs of pay increases to the City departments. This will transfer the funds out of the general ledger account for pay increases to the actual personnel salary account.

At the beginning of each fiscal year, the Pay Scale will receive a minimum Cost of Living Adjustment ("COLA") salary increase of 1% applicable to all pay grades within the Pay Scale. The Mayor and City Council may utilize COLA to amend the Pay Scale to provide any additional percentage salary increases to all employees. The established budget adoption process is the primary method to implement an additional COLA. But COLA also may be approved at any other time as the Mayor and City Council may determine appropriate and necessary. Any approved and adopted COLA will be applied uniformly to all job grades, or may be implemented as a percentage-based increase or an increase in a fixed amount that is applied to all pay grades within the Pay Scale. Regardless of how the COLA is implemented, the Pay Scale will be adjusted accordingly.

Enactment of a COLA does not affect the grade of employees but instead alters the pay rate for all grades as specified in the adopted COLA.

10.16 BILINGUAL PROFICIENCY PAY

For purposes of this policy, an employee is “bilingual” if the employee is fluent in one or more languages other than English. Employees who are bilingual are invited to provide notice to the Human Resources Department of the proficiency and the employee’s willingness to use the proficiency in other languages within their position or to assist other departments. Employees must successfully complete a language proficiency certification test available through Human Resources. Employees will be expected to recertify bilingual proficiency and willingness to continue use of the bilingual proficiency every four years. The Human Resources Department will maintain a list of employees who meet these criteria. Employees on the bilingual certification list are eligible for a payment of an additional \$50 per month, paid on the last pay period of the month. Upon request, employees on the bilingual certification list are expected to assist the City with foreign language translation. A refusal to assist will result in the loss of the additional pay for the month of the refusal. An employee who refuses to assist three separate times when requested will be removed from the bilingual certification list.

10.17 AMERICAN SIGN LANGUAGE PROFICIENCY PAY

Employees who are certified in American Sign Language (ASL) are invited to provide notice to the Human Resources Department of the ASL proficiency and the employee’s willingness to use the proficiency within their position or to assist other departments. Employees must provide proof of ASL certification. Employees will be expected to recertify ASL proficiency and willingness to continue use of ASL proficiency every four years. The Human Resources Department will maintain a list of employees who meet these criteria. Employees on the ASL certified list are eligible for a payment of an additional \$50 per month, paid on the last pay period of the month. Upon request, employees on the ASL certification list are expected to assist the City with sign language translation. A refusal to assist will result in the loss of the additional pay for the month of the refusal. An employee who refuses to assist three separate times when requested will be removed from the ASL certification list.

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2022-47**

**Ordinance to Pre-Zone Property Located Southeast of the Intersection of County Road 64 and
Friendship Road
KJC Investments, L.L.C.**

WHEREAS, KJC Investments, L.L.C., as the owner of certain real property located within the unincorporated area of Baldwin County, Alabama, has requested that said property that is currently zoned by the County as B-1, Professional Business, B-2, Neighborhood Business and RSF-2, Residential Single Family, Baldwin County District 15, in the extraterritorial planning jurisdiction of the City of Daphne, be pre-zoned as B-2, General Business, prior to annexation into the City of Daphne; and

WHEREAS, said real property is located Southeast of the Intersection of County Road 64 and Friendship Road, being more particularly described as follows:

Legal Description for Property to be Pre-Zoned:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 21, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 89°-37'-55" WEST A DISTANCE OF 756.54 FEET; THENCE RUN SOUTH 00°-16'-21" WEST A DISTANCE OF 410.42 FEET TO A CAPPED REBAR (GARSE) AT THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL: THENCE RUN SOUTH 00°-16'-47" WEST A DISTANCE OF 917.64 FEET TO A CAPPED REBAR (ILLEGIBLE); THENCE RUN NORTH 89°-31'-03" WEST A DISTANCE OF 566.05 FEET TO A CAPPED REBAR (ILLEGIBLE); THENCE RUN SOUTH 00°-12'-14" WEST A DISTANCE OF 662.87 FEET TO A CAPPED REBAR (10675) AT THE NORTHEAST CORNER OF LOT 4, TRIONE TRACE, AS RECORDED ON SLIDE 1594-A OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 89°-28'-33" WEST ALONG THE NORTH LINE OF SAID LOT 4 A DISTANCE OF 584.07 FEET TO A CAPPED REBAR (0089LS) AT THE SOUTHEAST CORNER OF LOT 10-A, AMENDED PLAT, ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1, REPLAT OF LOT 10, AS RECORDED ON SLIDE 2778-F OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 00°-13'-38" EAST ALONG THE EAST LINE OF SAID LOT 10-A A DISTANCE OF 200.06 FEET TO A CAPPED REBAR (HMR) AT THE NORTHEAST CORNER OF SAID LOT 10-A; THENCE RUN NORTH 89°-27'-54" WEST ALONG THE NORTH LINE OF SAID LOT 10-A A DISTANCE OF 400.03 FEET TO A CAPPED REBAR (HMR); THENCE RUN NORTH 89°-31'-08" WEST ALONG THE NORTH LINE OF SAID LOT 10-A A DISTANCE OF 39.76 FEET TO A CAPPED REBAR (HMR) AT THE SOUTHEAST CORNER OF A PARCEL LABELED "RESERVED FOR FUTURE RIGHT-OF-WAY AS SHOWN ON THE PLAT OF ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1, AS RECORDED ON SLIDE 2439-D OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 00°-11'-43" EAST ALONG THE EAST LINE OF SAID ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1 A DISTANCE OF 404.37 FEET; THENCE RUN SOUTH 89°-47'-01" EAST A DISTANCE OF 304.69 FEET; THENCE RUN NORTH 00°-10'-12" EAST A DISTANCE OF 564.17 FEET; THENCE RUN NORTH 89°-47'-01" WEST A DISTANCE OF 304.23 FEET TO THE EAST LINE OF SAID ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1; THENCE RUN NORTH 00°-13'-07" EAST ALONG THE EAST LINE OF SAID ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1 A DISTANCE OF 409.55 FEET TO A CAPPED REBAR (HMR) AT THE NORTHEAST CORNER OF LOT 2 OF SAID ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1; THENCE RUN NORTH 89°-38'-35" WEST ALONG THE

NORTH LINE OF SAID LOT 2 A DISTANCE OF 90.24 FEET TO A CAPPED REBAR (ILLEGIBLE) AT THE SOUTHEAST CORNER OF LOT 1 OF SAID ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1; THENCE RUN NORTH 00°-13'-22" EAST ALONG THE EAST LINE OF SAID LOT 1 A DISTANCE OF 183.19 FEET; THENCE RUN SOUTH 89°-37'-02" EAST A DISTANCE OF 15.00 FEET; THENCE RUN NORTH 00°-13'-54" EAST A DISTANCE OF 170.00 FEET; THENCE RUN SOUTH 89°-39'-50" EAST ALONG A LINE 15 FEET SOUTH OF AND PARALLEL WITH THE SOUTH RIGHT-OF-WAY LINE OF COUNTY ROAD 64 (80' R/W) A DISTANCE OF 1,149.65 FEET; THENCE RUN SOUTH 00°-25'-16" WEST A DISTANCE OF 354.94 FEET TO A 1/2" REBAR; THENCE RUN SOUTH 89°-34'-38" EAST A DISTANCE OF 517.65 FEET TO THE POINT OF BEGINNING. THE DESCRIBED PARCEL CONTAINS 52.48 ACRES, MORE OR LESS.

WHEREAS, at the regular Planning Commission meeting on May 24, 2022, the Commission considered said request and voted to set forth a favorable recommendation to the City Council to pre-zone the property B-2, General Business; and,

WHEREAS, due notice of said proposed pre-zoning has been provided to the public as required by law through publication and open display at City Hall, and a public hearing was held before the City Council on July 18, 2022; 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 pre-zoning of the above described real property and as set forth on a map of the property attached hereto and made a part of this Ordinance as Exhibit "A" 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

That above described real property is hereby pre-zoned to B-2, General Business, City of Daphne. Upon annexation of the property prior to the expiration of the pre-zoning as set forth in Section IV, the property shall be assigned the zoning district in accordance with the pre-zoning and the zoning ordinance and zoning map shall be amended to reflect said zoning. Should annexation not occur prior to the expiration of this pre-zoning as set forth in Section IV, this pre-zoning shall have no effect and the designation of a zoning district for the property shall be set forth in the annexation ordinance.

Until such time as the property is annexed into the City of Daphne, the property shall remain in the unincorporated area of Baldwin County and zoned in accordance with the Baldwin County Commission's zoning plan. The County's zoning for the property at the time the request for pre-zoning was submitted was B-1, Professional Business, B-2, Neighborhood Business and RSF-2, Residential Single Family, Baldwin County District 15, Exterritorial Planning Jurisdiction.

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 AND EXPIRATION DATE.

This Ordinance shall take effect after the date of its approval by the City Council of the City of Daphne and publication as required by law. Pursuant to Code of Alabama (1975) Section 11-52-85, the zoning of the subject property shall become effective upon the date the territory is annexed into the corporate limits. If any portion of the subject property is not annexed into the corporate limits within 180 days of the initiation of annexation proceedings as provided by law, this pre-zoning shall be null and void. Should the pre-zoning become null and void, the applicant may reapply for pre-zoning at any time as long as an annexation petition is pending.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS ____ day of _____, 2022.

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2022-48**

**Ordinance to Re-Zone Property Located
Southeast of the Intersection of County Road 64 and Friendship Road**

WHEREAS, KJC Investments, L.L.C., as the owner of certain real property located within the City of Daphne, has requested that said property that is currently zoned as B-1 Local Business, be re-zoned as B-2, General Business; and

WHEREAS, said real property is located Southeast of the intersection of County Road 64 and Friendship Road and more particularly described as follows:

Legal Description of Property to be Re-Zoned to B-2, General Business:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 21, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 89°-37'-55" WEST A DISTANCE OF 756.54 FEET; THENCE RUN SOUTH 00°-16'-21" WEST A DISTANCE OF 410.42 FEET TO A CAPPED REBAR (GARSED); THENCE RUN SOUTH 00°-16'-47" WEST A DISTANCE OF 917.64 FEET TO A CAPPED REBAR (ILLEGIBLE); THENCE RUN NORTH 89°-31'-03" WEST A DISTANCE OF 566.05 FEET TO A CAPPED REBAR (ILLEGIBLE); THENCE RUN SOUTH 00°-12'-14" WEST A DISTANCE OF 662.87 FEET TO A CAPPED REBAR (10675) AT THE NORTHEAST CORNER OF LOT 4, TRIONE TRACE, AS RECORDED ON SLIDE 1594-A OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 89°-28'-33" WEST ALONG THE NORTH LINE OF SAID LOT 4 A DISTANCE OF 584.07 FEET TO A CAPPED REBAR (0089LS) AT THE SOUTHEAST CORNER OF LOT 10-A, AMENDED PLAT, ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1, REPLAT OF LOT 10, AS RECORDED ON SLIDE 2778-F OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 00°-13'-38" EAST ALONG THE EAST LINE OF SAID LOT 10-A A DISTANCE OF 200.06 FEET TO A CAPPED REBAR (HMR) AT THE NORTHEAST CORNER OF SAID LOT 10-A; THENCE RUN NORTH 89°-27'-54" WEST ALONG THE NORTH LINE OF SAID LOT 10-A A DISTANCE OF 400.03 FEET TO A CAPPED REBAR (HMR); THENCE RUN NORTH 89°-31'-08" WEST ALONG THE NORTH LINE OF SAID LOT 10-A A DISTANCE OF 39.76 FEET TO A CAPPED REBAR (HMR) AT THE SOUTHEAST CORNER OF A PARCEL LABELED "RESERVED FOR FUTURE RIGHT-OF-WAY AS SHOWN ON THE PLAT OF ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1, AS RECORDED ON SLIDE 2439-D OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 00°-11'-43" EAST ALONG THE EAST LINE OF SAID ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1 A DISTANCE OF 404.37 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL; THENCE CONTINUE NORTH 00°-11'-43" EAST ALONG THE

EAST LINE OF SAID ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1 A DISTANCE OF 46.88 FEET TO A CAPPED REBAR (HMR) AT THE SOUTHEAST CORNER OF LOT 7 OF SAID ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1; THENCE RUN NORTH 00°-13'-07" EAST A DISTANCE OF 517.29 FEET; THENCE RUN SOUTH 89°-47'-01" EAST A DISTANCE OF 304.23 FEET; THENCE RUN SOUTH 00°-10'-12" WEST A DISTANCE OF 564.17 FEET; THENCE RUN NORTH 89° -47'-01" WEST A DISTANCE OF 304.69 FEET TO THE POINT OF BEGINNING. THE DESCRIBED PARCEL CONTAINS 3.94 ACRES, MORE OR LESS.

WHEREAS, at the regular Planning Commission meeting on May 26, 2022, the Commission considered said request and set forth a unanimous 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 July 18, 2022; 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 B-1 Local Business to B-2, General Business, 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.

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.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS ____ DAY OF _____, 2022.

Attest:

Robin LeJeune, Mayor

Candace G. Antinarella, CMC, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2022- 49**

**ORDINANCE TO ANNEX PROPERTY CONTIGUOUS TO THE CORPORATE LIMITS OF THE
CITY OF DAPHNE**

**Southeast of the Intersection of County Road 64 and Friendship Road
KJC Investments, L.L.C.**

WHEREAS, on the 24th day of February, 2022, KJC Investments, L.L.C., being the owner of certain real property hereinafter described, did file with the City Clerk a petition requesting that said tracts or parcels of land be annexed into and become part of the City of Daphne, Alabama (the "City"); and

WHEREAS, said petition did contain an accurate description of the property to be annexed together with a map of the said territory showing its relationship to the corporate limits of the City of Daphne, Alabama, and the signatures of all owners of the property described; and

WHEREAS, said petition was presented to the Planning Commission of the City of Daphne at a regular scheduled meeting on May 26, 2022, and the Commission set forth a favorable recommendation for the City Council of the City of Daphne to consider said request for annexation of said property; and

WHEREAS, after proper publication, a public hearing was held by the City Council on July 18, 2022, concerning the petition for annexation.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, AS FOLLOWS:

SECTION ONE: ANNEXATION

The City Council of the City of Daphne finds and declares as the legislative body of the City that it is in the best interest of the citizens of the City and the citizens of the affected area to bring the property described in Section Three of this Ordinance into the corporate limits of the City, and has further determined that all legal requirements for annexing said real property have been met pursuant to Sections 11-42-20 through 11-42-24, *et seq.*, Code of Alabama (1975); effective on publication as required by Section 11-42-21, Code of Alabama (1975), as amended.

SECTION TWO: ZONING

At the _____2022, regularly scheduled City Council meeting, Ordinance 2022-____ was adopted pre-zoning the said property as B-2, General Business, with the apportionment of said zoning districts to the subject property described therein.

SECTION THREE: DESCRIPTION OF TERRITORY

The boundary lines of the City of Daphne are hereby altered or rearranged so as to include all the territory heretofore encompassed by the corporate limits of the City of Daphne and, in addition thereto, the following described property, to-wit:

Legal Description for Annexation:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 21,
TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY,
ALABAMA; THENCE RUN NORTH 89°-37'-55" WEST A DISTANCE OF

756.54 FEET; THENCE RUN SOUTH 00°-16'-21" WEST A DISTANCE OF 410.42 FEET TO A CAPPED REBAR (GARSE) AT THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL: THENCE RUN SOUTH 00°-16'-47" WEST A DISTANCE OF 917.64 FEET TO A CAPPED REBAR (ILLEGIBLE); THENCE RUN NORTH 89°-31'-03" WEST A DISTANCE OF 566.05 FEET TO A CAPPED REBAR (ILLEGIBLE); THENCE RUN SOUTH 00°-12'-14" WEST A DISTANCE OF 662.87 FEET TO A CAPPED REBAR (10675) AT THE NORTHEAST CORNER OF LOT 4, TRIONE TRACE, AS RECORDED ON SLIDE 1594-A OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 89°-28'-33" WEST ALONG THE NORTH LINE OF SAID LOT 4 A DISTANCE OF 584.07 FEET TO A CAPPED REBAR (0089LS) AT THE SOUTHEAST CORNER OF LOT 10-A, AMENDED PLAT, ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1, REPLAT OF LOT 10, AS RECORDED ON SLIDE 2778-F OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 00°-13'-38" EAST ALONG THE EAST LINE OF SAID LOT 10-A A DISTANCE OF 200.06 FEET TO A CAPPED REBAR (HMR) AT THE NORTHEAST CORNER OF SAID LOT 10-A; THENCE RUN NORTH 89°-27'-54" WEST ALONG THE NORTH LINE OF SAID LOT 10-A A DISTANCE OF 400.03 FEET TO A CAPPED REBAR (HMR); THENCE RUN NORTH 89°-31'-08" WEST ALONG THE NORTH LINE OF SAID LOT 10-A A DISTANCE OF 39.76 FEET TO A CAPPED REBAR (HMR) AT THE SOUTHEAST CORNER OF A PARCEL LABELED "RESERVED FOR FUTURE RIGHT-OF-WAY AS SHOWN ON THE PLAT OF ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1, AS RECORDED ON SLIDE 2439-D OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 00°-11'-43" EAST ALONG THE EAST LINE OF SAID ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1 A DISTANCE OF 404.37 FEET; THENCE RUN SOUTH 89°-47'-01" EAST A DISTANCE OF 304.69 FEET; THENCE RUN NORTH 00°-10'-12" EAST A DISTANCE OF 564.17 FEET; THENCE RUN NORTH 89°-47'-01" WEST A DISTANCE OF 304.23 FEET TO THE EAST LINE OF SAID ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1; THENCE RUN NORTH 00°-13'-07" EAST ALONG THE EAST LINE OF SAID ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1 A DISTANCE OF 409.55 FEET TO A CAPPED REBAR (HMR) AT THE NORTHEAST CORNER OF LOT 2 OF SAID ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1; THENCE RUN NORTH 89°-38'-35" WEST ALONG THE NORTH LINE OF SAID LOT 2 A DISTANCE OF 90.24 FEET TO A CAPPED REBAR (ILLEGIBLE) AT THE SOUTHEAST CORNER OF LOT 1 OF SAID ITALIAN SETTLEMENT BUSINESS PARK - PHASE 1; THENCE RUN NORTH 00°-13'-22" EAST ALONG THE EAST LINE OF SAID LOT 1 A DISTANCE OF 183.19 FEET; THENCE RUN SOUTH 89°-37'-02" EAST A DISTANCE OF 15.00 FEET; THENCE RUN NORTH 00°-13'-54" EAST A DISTANCE OF 170.00 FEET; THENCE RUN SOUTH 89°-39'-50" EAST ALONG A LINE 15 FEET SOUTH OF AND PARALLEL WITH THE SOUTH RIGHT-OF-WAY LINE

OF COUNTY ROAD 64 (80' R/W) A DISTANCE OF 1,149.65 FEET;
THENCE RUN SOUTH 00°-25'-16" WEST A DISTANCE OF 354.94 FEET
TO A 1/2" REBAR; THENCE RUN SOUTH 89°-34'-38" EAST A
DISTANCE OF 517.65 FEET TO THE POINT OF BEGINNING. THE
DESCRIBED PARCEL CONTAINS 52.48 ACRES, MORE OR LESS.

SECTION FOUR: MAP OF PROPERTY

The property hereby annexed into the City of Daphne, Alabama, as described in Section Three of this Ordinance, is set forth on a map of the property attached hereto and made a part of this Ordinance as Exhibit "A" showing its relationship to the corporate limits of the City of Daphne.

SECTION FIVE: EFFECTIVE DATE AND PUBLICATION

This Ordinance shall become effective upon its date of publication as required by Section 11-42-21 Code of Alabama (1975), as amended, and the property described herein shall be then annexed into the corporate limits of the City of Daphne, and a certified copy of the same shall be filed with the Office of the Judge of Probate of Baldwin County, Alabama, in accordance with Section 11-42-21, Code of Alabama (1975), as amended.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE,
ALABAMA, THIS THE _____ DAY OF _____, 2022.**

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2022-50**

**Ordinance to Re-Zone Property Located
Southwest of Van and Main Street**

WHEREAS, Olde Town Properties, L.L.C., as the owner of certain real property located within the City of Daphne, has requested that said property that is currently zoned as B-3, Professional Business, be re-zoned as B-1(a), Limited Local Business; and

WHEREAS, said real property is located Southwest of Van and Main Street and more particularly described as follows:

Legal Description of Property to be Re-Zoned to B-2, General Business:

LOT 2, MORSE SUBDIVISION, PER PLAT RECORDED IN THE OFFICE OF THE
JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA, SLIDE 2176-D,
CONTAINING 0.19 ACRES, MORE OR LESS

WHEREAS, at the regular Planning Commission meeting on May 26, 2022, the Commission considered said request and set forth a unanimous 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 July 18, 2022; 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 B-3, Professional Business to B-1(a), Limited Local Business, 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.

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.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS ____ DAY OF _____, 2022.

Attest:

Robin LeJeune, Mayor

Candace G. Antinarella, CMC, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2022-51**

**Zoning District Map
Revision to the City of Daphne Land Use and Development Ordinance**

WHEREAS, the Planning Commission of the City of Daphne, Alabama at their regular meeting held on December 16, 2021, favorably recommended to the City Council of the City of Daphne certain amendments to the Daphne Land Use and Development Ordinance / Zoning District Map approved and adopted by Ordinance No. 2011-54, referenced in Appendix H “Exhibit A” thereof, and amended by Ordinance No. 2016-69, Ordinance No. 2017-49, Ordinance No. 2018-02, Ordinance 2018-27, Ordinance 2019-19, Ordinance 2020-12, Ordinance 2020-28 and Ordinance 2022-20; and

WHEREAS, said amendments are necessary due to various rezoning and annexation requests which have been approved since the adoption of Ordinance No. 2022-20; and

WHEREAS, due notice of said proposed zoning map amendments has been provided to the public as required by law through publication and open display at the City of Daphne Public Library and City Hall; and

WHEREAS, a public hearing regarding the proposed Zoning District Map amendments was held by the City Council on July 18, 2022; and

WHEREAS, the City Council of the City of Daphne after due consideration and upon recommendation of the Planning Commission believe it in the best interest of the health, safety and welfare of the citizens of the City of Daphne to amend said Zoning District Map as recommended; and

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

SECTION I: ZONING DISTRICT MAP

The Zoning District Map referenced hereto as Exhibit “A” shall be the official zoning map of the City of Daphne, Alabama and shall be further designated in Appendix H of the City of Daphne Land Use and Development Ordinance, as set forth in Ordinance No. 2011-54 and its amendments.

SECTION II: REPEALER

Ordinance No. 2011-54, Appendix H “Exhibit A”, Ordinance No. 2016-69, Ordinance No. 2017-49, Ordinance No. 2018-02, Ordinance 2018-27, Ordinance 2019-19, Ordinance 2020-12, Ordinance 2020-28 and Ordinance 2022-20 are hereby repealed, and any Ordinance(s), parts of Ordinance(s) or Resolution(s) conflicting with the provisions of this Ordinance are hereby repealed insofar as they conflict.

SECTION III: EFFECTIVE DATE

This Ordinance shall take effect and be in force from and after the date of its approval by the City of Daphne City Council and publication as required by law.

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE,
ALABAMA ON THIS ____ DAY OF _____, 2022.**

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk