

CITY OF DAPHNE
1705 MAIN STREET, DAPHNE, AL
CITY COUNCIL BUSINESS MEETING AGENDA
Monday, June 5, 2023
6:00 P.M.

1. CALL TO ORDER

2. ROLL CALL

INVOCATION Pastor Charlie Stafford, Coastal Church
PLEDGE OF ALLEGIANCE

RECOGNITION: Benchmark Homes Group

PRESENTATION: Ken Lassiter – Service Weapon Retirement

3. APPROVE MINUTES: May 15, 2023 regular meeting

4. REPORTS OF STANDING COMMITTEES

A. FINANCE COMMITTEE – Goodlin

Review the minutes from the May 15th meeting.

Treasurer's Report for April 2023: Unrestricted Fund Balance - \$ 27,505,775;

Total Cash Balance - \$ 43,799,681

Sales Tax for March 2023: \$2,392,929.44; Lodging Tax for March 2023: \$ 166,031.65

Excess Reserve Balance - \$18,128,690

Debt Summary – April 2023: Warrants - \$25,195,442

Capital Leases: General Fund - \$821,791; Enterprise Fund - \$893,427

MOTION to reject the 2023-R-Magnolia Avenue Sidewalk Extension bid for budgetary purposes.

MOTION for Council to authorize the Mayor to sign the Lease Agreement for a 2023 John Deere 524P Loader.

B. BUILDINGS & PROPERTY COMMITTEE – Coleman

C. PUBLIC SAFETY COMMITTEE – Hughes

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE – Olen

E. PUBLIC WORKS COMMITTEE – Conaway

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS

A. BOARD OF ZONING ADJUSTMENTS – Adrienne Jones

B. DAPHNE PUBLIC SCHOOL COMMISSION – Conaway

C. DOWNTOWN REDEVELOPMENT AUTHORITY – Conaway

D. INDUSTRIAL DEVELOPMENT BOARD – Scott

E. LIBRARY BOARD – Goodlin

F. PLANNING COMMISSION – Olen

Review the minutes from the special called May 4th meeting and the report from the May 25th meeting.

G. RECREATION BOARD – Hughes

H. UTILITY BOARD – Phillips

City Council Agenda – June 5, 2023

6. PUBLIC PARTICIPATION
7. MAYOR’S REPORT
8. CITY ATTORNEY REPORT
9. DEPARTMENT HEAD REPORTS
10. CITY CLERK’S REPORT

MOTION to approve the publication and set a public hearing on July 17, 2023 for the Sirmon Properties, L.L.C. Pre-Zoning Amendment located Northeast of Parker Lane and County Road 13.

MOTION to approve the publication and set a public hearing on July 17, 2023 for the Sirmon Properties, L.L.C. Annexation Petition located Northeast of Parker Lane and County Road 13.

MOTION to approve the publication and set a public hearing on July 17, 2023 for the Eunice Lett-Coleman Zoning Amendment, 3.82 Acres +/- located Northwest of the intersection of Pollard Road and Wilson Avenue.

MOTION to approve the publication and set a public hearing on July 17, 2023 for the Eunice Lett-Coleman Zoning Amendment, 1.46 Acres +/- located Southwest of the intersection of Pollard Road and Wilson Avenue.

11. RESOLUTIONS & ORDINANCES

A. RESOLUTIONS:

2023 – 32 – Acceptance of Roads and Rights – of – Way: French Settlement, Phase 4B

2023 – 33 – Bid Award: O – Concrete Pipe – Negotiated-Alabama Pipe & Supply Co.

2023 – 34 – Bid Award: P – Topsoil, Select Base Material and Sand-Fulcrum Construction Group, LLC

2nd READ ORDINANCES:

2023 – 17 – Amendment to Ordinance 2004-11 (Business License Ordinance) – As Previously Amended by Ordinance 2023-04 - Short Term Rentals

2023 – 18 – Ordinance to Pre-Zone Property Located Northwest of Well Road and County Road 13- Daphne Rangers Academy/Daphne Strike Soccer Club, Inc.

2023 – 19 – Ordinance to Annex Property Contiguous to the Corporate Limits of the City of Daphne – Property Located Northwest of Well Road and County Road 13 – Daphne Rangers Academy/Daphne Strike Soccer Club, Inc.

1st READ ORDINANCE:

12. COUNCIL COMMENTS
13. ADJOURN

City of Daphne Beautification Committee

presents this

Certificate of Recognition

to

Benchmark Homes Group

for your excellence in beautifying the City of Daphne.

Awarded on this 5th day of June 2023.



Robin LeJeune, Mayor



CITY OF
DAPHNE, ALABAMA

Proclamation

WHEREAS; William "Ken" Lassiter was hired on to the City of Daphne Police Department on May 1, 1997; and

WHEREAS; he started as a Patrol Officer and promoted to Patrol Corporal in 2003, to Patrol Sergeant in 2007, then became the Criminal Investigations Division Sergeant in 2015 and later the Community Resource Unit Sergeant in 2017; and

WHEREAS; Sergeant Lassiter became a Traffic Homicide Investigator and Crash Reconstructionist in 2000; and

WHEREAS; during his tenure with the Daphne Police Department, Sergeant Lassiter has held a leadership role in many areas such as the Department's Lead Traffic Homicide Investigator and the Training Coordinator since 2000 as well as being named Officer of the Year in 1999; and

WHEREAS; Sergeant Lassiter has been a loyal and dedicated employee and has served the City of Daphne and its citizens with diplomacy and strength while maintaining the Community Policing Values that the Daphne Police Department is known for throughout the County.

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



Robin LeJeune, Mayor

ATTEST: _____
Candace G. Antinarella, CMC, City Clerk

**May 15, 2023
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 Pro Tem Steve Olen called the meeting to order at 6:00pm.

2. ROLL CALL:

COUNCIL MEMBERS PRESENT: Steve Olen, Joel Coleman, Doug Goodlin and Ron Scott

COUNCIL MEMBERS ABSENT: Angie Phillips, Tommie Conaway and Benjamin Hughes

Also Present: Jay Ross, City Attorney; Candace Antinarella, City Clerk; Chief Brian Gulsby, Police; Troy Strunk, City Development; Chief Tacon, Fire; Ronnie Huskey, Public Works; Ange Baggett, Marketing; Tonja Young, Library; Vickie Hinman, HR; Kelli Reid, Finance; Adrienne Jones, Planning; Josh Newman, City Engineer; Charlie McDavid, Recreation; and Jessica Linne, Assistant City Clerk.

INVOCATION/PLEDGE OF ALLEGIANCE

Invocation was given by Reverend John Talbert, St. Paul's Episcopal Church.

PROCLAMATION: Mayor LeJeune presented the National Public Works Week Proclamation to Public Works Director, Ronnie Huskey.

PUBLIC HEARING: Adrienne Jones presented on the Daphne Rangers Academy/Daphne Strike Soccer Club, Inc. Pre-Zoning Amendment. Councilman Scott questioned why the property wasn't already in City limits.

Public hearing opened 6:08pm. No one came forward to speak.

Public hearing closed at 6:08pm.

PUBLIC HEARING: Adrienne Jones presented on the Daphne Rangers Academy/Daphne Strike Soccer Club Inc. Annexation Amendment. Councilman Coleman asked what Trione was currently zoned. Mrs. Jones said it was R-1.

Public hearing opened at 6:09pm. No one came forward to speak.

Public hearing closed at 6:09pm.

3. APPROVAL OF MINUTES:

The minutes from the May 1, 2023 regular meeting were approved.

4. REPORT OF STANDING COMMITTEES:

A. FINANCE COMMITTEE

Councilman Goodlin said the next meeting is June 19th at 4:30pm.

B. BUILDINGS & PROPERTY COMMITTEE

Councilman Coleman said the next meeting is June 12th at 5:15pm.

C. PUBLIC SAFETY COMMITTEE

Councilman Hughes was absent.

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE

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

E. PUBLIC WORKS COMMITTEE

Councilwoman Conaway was absent.

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6:00 P.M.**

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments

Mrs. Jones said the next meeting is June 1st at 6pm.

B. Daphne Public School Commission

Councilman Olen said the next meeting is May 22nd at 5:30pm.

C. Downtown Re development Authority

Councilman Olen said the next meeting is May 18th at 5:30pm.

D. Industrial Development Board

Councilman Scott said the next meeting is May 16th at 4:30pm.

E. Library Board

Councilman Goodlin said the next meeting is June 8th at 4:30pm at the Library.

F. Planning Commission

Councilman Olen said the next meeting is May 25th at 5:00pm.

G. Recreation Board

Councilman Hughes was absent.

H. Utility Board

Councilwoman Phillips was absent.

6. PUBLIC PARTICIPATION:

Public Participation opened at 6:12pm.

Curt Fonger, 1443 Randall Avenue, spoke regarding pedestrians on Yacht Club Drive. He said it's not safe for walking and made some suggestions to increase the safety.

Josh Horton, 14246 Creek Wood Drive, said he feels his son has been disadvantaged from the youth recreation baseball team. He shared his son was not chosen for All-Stars.

Public Participation closed at 6:21pm.

7. MAYOR'S REPORT:

Mayor LeJeune said he recently attended the National League of Cities. He congratulated the Daphne High School Boys and Bayside Boys' soccer teams on their recent championship wins. He mentioned the upcoming high school graduations and also said May is National Tennis Month.

8. CITY ATTORNEY REPORT:

City Attorney said there was no report.

9. DEPARTMENT HEAD COMMENTS:

Chief Gulsby, Police, said they have 5 new officers who will be sworn in soon and invited individuals to come donate at the Red Cross Blood Drive on June 2.

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Chief Tacon, Fire, said the Fire Department has recently tested the panic alarms in City Hall and the defibrillators.

Ange Baggett, Marketing, said the Welcome Centers will host Tourism Day for Tourism Week.

Tonja Young, Library, said Summer Reading Program is kicking off June 5th.

Ronnie Huskey, Public Works, shared about Spring upkeep around the City.

Charlie McDavid, Recreation, said there was a pickleball tournament recently. Councilman Goodlin asked Mr. McDavid questions regarding all-star decisions.

Josh Newman, City Engineer, updated the Council on projects wrapping up.

10. CITY CLERK'S REPORT:

**MOTION by Councilman Coleman to approve the publication and set a public hearing for the Roy A. Wulff and Cynthia J. Wulff Revocable Trust Dated 12/14/2016 Pre-Zoning Amendment on June 19, 2023. Seconded by Councilman Goodlin.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Coleman to approve the publication and set a public hearing for the Roy A. Wulff and Cynthia J. Wulff Revocable Trust Dated 12/14/2016 Annexation Petition on June 19, 2023. Seconded by Councilman Goodlin.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Coleman to approve the publication and set a public hearing for the Proposed Amendments to the Land Use and Development Ordinance to amend Articles 35 and 36 on June 19, 2023. Seconded by Councilman Goodlin.
MOTION CARRIED UNANIMOUSLY.**

City Clerk shared that she has received 17 2023-2023 Junior City Council applications.

11. RESOLUTIONS & ORDINANCES:

A. RESOLUTIONS:

2023 – 30 – Acceptance of Roads and Rights-of-Way, The Reserve at Daphne, Phase Two

2023 – 31 – Support of Agreement with the Alabama Department of Transportation to Install US 98 Corridor Improvements Between Van Avenue and County Road 64

**MOTION by Councilman Scott to waive the reading of Resolutions 2023-30 and 2023-31. Seconded by Councilman Goodlin.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Scott to adopt Resolutions 2023-30 and 2023-31. Seconded by Councilman Goodlin.
MOTION CARRIED UNANIMOUSLY.**

ORDINANCES:

B. 2nd READ ORDINANCES:

1ST READ ORDINANCES:

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REGULAR BUSINESS MEETING
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2023 – 17 – Amendment to Ordinance 2004-11 (Business License Ordinance) – As Previously Amended by Ordinance 2023-04 - Short Term Rentals

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12. COUNCIL COMMENTS:

Councilman Scott congratulated all the graduates.

Councilman Goodlin thanked Public Works for their continued work in the City. He congratulated the Daphne High School and Bayside soccer teams and the graduates of all the local schools.

Councilman Coleman commended Public Works and congratulated the soccer teams and graduates.

Councilman Olen thanked Public Works and congratulated the soccer teams and graduates. He spoke on regarding the Lake Forest POA Board and recent lawsuits.

13. ADJOURN:

THERE BEING NO FURTHER BUSINESS TO DISCUSS, COUNCIL ADJOURNED AT 6:43PM.

Respectfully submitted by,

Certification of Presiding Officer,

Candace G. Antinarella, CMC, City Clerk

Steve Olen, Council Pro Tem

CITY OF DAPHNE
FINANCE COMMITTEE MINUTES
MAY 15, 2023
4:30 P.M.

THIS MEETING DID NOT HAVE A QUORUM PRESENT

I. CALL TO ORDER/ROLL CALL

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

Present were:

Chairman Mr. Doug Goodlin

Councilman Mr. Steve Olen

Councilman Mr. Ron Scott

Also Present: Mayor Robin LeJeune, Finance Director Mrs. Kelli Reid, Accountant III Mrs. Suzânn Henson, Human Resource Director Mrs. Vickie Hinman, City Clerk Mrs. Candace Antinarella, Executive Director of City Development Troy Strunk, Fire Chief Mrs. LeAnn Tacon, Director of Events and Marketing Mrs. Ange Baggett, Public Works Director Mr. Ronnie Huskey, Public Works Deputy Director Mr. William Eringman, City Engineer Josh Newman, City Attorney Mr. Jay Ross, and Engineer- Mr. Jared Landry, S. E. Civil Engineering & Surveying.

II. PUBLIC PARTICIPATION

There was no public participation.

III. APPROVE MINUTES FOR THE PREVIOUS MEETING

The previous minutes were approved.

IV. HUMAN RESOURCES BUSINESS

A. Update on Human Resources Department Activity

Mrs. Vickie Hinman reviewed the Human Resources Report:

- Posted/Reposted Positions – 3
- Reviewing/Testing/Interviewing/Background check - 18
- Promotion/Internal Transfer - 0
- New Hires – 2

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

- Safety Committee: Quarter 2 safety awards drawn at April Safety meeting. Award winners: Paul Brooks (Recreation), Todd Gresham (Public Safety), Arnetta Sims (Clerical). Next Safety Committee meeting May 31, 2023. Reviewing sections of Safety Manual for any revisions needed. Developing City Hall Building Evacuation Plan.
- Annual Compliance Training May 3 – 4, 2023
- Summer Supervisor Training (FMLA, Workers' Compensation, Payroll, Performance Evaluations
- Online Open Enrollment

V. BUSINESS LICENSE REPORT

A. Report: New Business Licenses – April, 2023

Mrs. Reid reviewed the following reports and information:

- Code enforcement issued 4 warnings resulting in businesses becoming compliant and \$1,255.84 in revenue.
- New Businesses with a physical location in Daphne -5
- Simplified Sellers Use Tax collections - \$147,440.84 and YTD collections - \$1,126,342.34
- Total Business Licenses issued were 48 new and 105 renewals for a total of 153 in April 2023

Discussion was made that the Vinney's portion of the building next door was sold and the City received approximately \$29,000 for past due taxes/fees. Discussion continued on recent legislature changes.

VI. SALES & LODGING TAX REPORT

A. Sales and Use Taxes: March, 2023

Mrs. Henson reviewed the Sales & Use Tax Reports: \$2,392,929.44 was collected for March, 2023 which was down (\$7,784.47) from March 2022's collections:

- YTD Variance over Budget - \$1,090,529.89

B. Lodging Tax Collections, March, 2023

Mrs. Henson reviewed the Lodging Tax Collections Report and noted the collections for March, 2023 were \$166,031.65 which is up \$6,554.29 from March 2022's collections.

- YTD Variance over Budget - \$29,471

C. Lodging Tax Analysis Report, April, 2023

Mrs. Reid reviewed the Lodging Tax Analysis report for January, 2023.

- Recreation balance for related purchases - \$489,736.11
- Reserved balance for Bayfront related purchases - \$2,905,374.89
- Reserved balance for Occupancy Fee - \$42,574.50

VII. FINANCIAL SCHEDULES & REPORTS**A. Financial Reports****1. Treasurer's Report: April, 2023**

Mrs. Reid reviewed the Treasurer's Report:

TREASURER'S REPORT					
As of April 30, 2023					
Account Type/Title	4/30/2023	3/31/2023	Increase (Decrease) from last Month	4/30/2022	Increase (Decrease) from Last Year
GENERAL FUND & ENTERPRISE FUNDS	\$ 17,136,419	\$ 17,286,482	\$ (150,062)	\$ 16,051,691	\$ 1,084,728
INVESTMENT FUND	10,369,355	10,331,483	37,872	10,451,315	\$ (81,960)
CREDIT CARD ACCOUNT	-	-	-	86,538	\$ (86,538)
Total Unrestricted Cash Balance	27,505,775	27,617,965	(112,191)	26,589,544	916,231
SPECIAL REVENUE FUNDS					
4 CENT GAS TAX	242,963	238,042	4,920	181,020	61,943
7 CENT GAS TAX	190,388	188,331	2,057	93,893	96,495
10 CENT GAS TAX	217,928	202,259	15,669	165,052	52,876
TREE & FLOWER	22,660	22,660	-	22,660	-
COVID RELIEF FUND	1,693,486	1,963,317	(269,831)	1,482,002	211,484
ANIMAL SHELTER FUND	758,106	781,019	(22,913)	1,088,730	(330,624)
MOBILE INFIRMARY BUILDING	39,490	(37,918)	77,409	-	39,490
FEDERAL DRUG FORFEITURES	230,306	193,225	37,081	288,980	(58,674)
LOCAL DRUG FORFEITURES	81,862	80,539	1,323	75,915	5,947
LIBRARY	23,507	19,549	3,958	44,061	(20,554)
COURT TRAINING & EQUIPMENT	41,070	40,604	466	42,431	(1,361)
COURT CORRECTION	561,557	558,024	3,533	533,656	27,901
LODGING TAX	3,506,442	3,380,875	125,567	3,673,598	(167,156)
AGENCY FUNDS					
SELF INSURANCE	231,985	225,974	6,011	229,278	2,707
FLEX SPENDING	-	-	-	19,644	(19,644)
OPEB TRUST INVESTMENT FUND	1,207,338	1,200,231	7,107	959,353	247,985
	9,049,089	9,056,730	(7,642)	8,900,273	148,816
CAPITAL PROJECT FUNDS					
CAPITAL RESERVE	7,176,745	6,607,051	569,694	5,042,139	2,134,606
	7,176,745	6,607,051	569,694	5,042,139	2,134,606
DEBT SERVICE FUNDS					
DEBT SERVICE	68,073	(162,958)	231,031	112,349	(44,276)
Total Restricted Cash Balance	16,293,907	15,500,823	793,084	14,054,761	2,239,146
Total City Cash Balance	\$ 43,799,681	\$ 43,118,788	\$ 680,893	\$ 40,644,305	\$ 3,155,377
Encumbrance Total as of			4/30/2023	\$ 297,229.69	

The Treasurer's Report as of APRIL, 2023 Total Unrestricted Cash Balance - \$27,505,775 and Total City Cash Balance - \$43,799,681 was presented to be filed for audit.

2. Encumbrance Report

- Encumbrance balance - \$297,229.69 as of April, 2023.

Mrs. Reid reviewed the Encumbrance Report.

3. Outstanding Appropriations

Mrs. Reid reviewed the outstanding appropriations report and noted that projects are being paid as pay applications are received. Mrs. Reid noted the largest outstanding amounts are from the Capital Reserve fund - \$5.7 million.

4. Financial Overview: Debt Summaries & Monthly Financial Statements

Mrs. Reid reviewed the following Financial Statements:

- Debt Summary Schedules (General & Enterprise Funds), April 2023
 - o Outstanding Warrant Balance as of April 30, 2023: \$25,195,442
 - o Outstanding Capital Lease Balance as of April 30, 2023:
 - General Fund: \$821,791
 - Enterprise Fund: \$893,427
- Monthly Financial Statements, March 2023
 - o General Fund YTD Budgetary Net Income: \$4,844,083 which is less (\$928,914) than the prior YTD net income
 - o Solid Waste Fund Transfers YTD: \$237,435
 - o Civic Center Fund Transfers YTD: \$135,126

5. Summary of Budgetary Amendments

Mrs. Reid reviewed the General Fund budgetary amendments made to the FY2023 Budget.

- Total Appropriations Year to Date – \$9,076,468.11
- Adjusted Expenses over Revenue – (\$9,069,381.11)

6. Unfunded Future Projects Expenditure Summary

Mrs. Reid reviewed the Unfunded Future Projects Expenditure Summary and noted that there was no change from last month.

B. Bills Paid Reports – April, 2023

The Bills Paid Report was previously presented electronically.

VIII. BIDS (Resolution)

A. 2023-O-Concrete Pipe – Negotiated

Mrs. Reid reviewed the bid. No bids were received for concrete pipe. A recommendation letter from Mr. Ronnie Huskey recommended the negotiated bid be awarded to Alabama Pipe & Supply Co., Inc. Discussion was made that this item would be forwarded to the Public Works Committee for further review and a motion.

B. 2023-P-Topsoil, Select Base Material, and Sand

Mrs. Reid reviewed the one bid received. A letter from Mr. Ronnie Huskey recommending the bid be awarded to the sole bidder Fulcrum Construction Group LLC was included in the packet. Discussion was made that this item would be forwarded to the Public Works Committee for further review and a motion.

C. 2023-R-Magnolia Avenue Sidewalk Extension – Motion to Reject

Mrs. Reid reviewed the bid. The Mayor explained that this is a very short piece of sidewalk and the cost is hard to justify for such a small project. Discussion was made that this item would be forwarded to the Public Works Committee for further review and a motion to reject the bid.

D. 2023-RFQ-Daphne ADA Transition Plan Update

Mrs. Reid noted the ADA Transition Plan Update that was forwarded from the Public Works Committee. The Mayor noted that previously the City did this plan in house. Mr. Eringman explained the need to outsource this study and the documentation and reporting tools that would be provided. Mr. Eringman explained the reporting tools would assist with identifying areas in the City that need to be updated and help prioritize the order in which each area should be addressed.

Mr. Eringman noted this plan would assist in reducing the risk of losing Federal Grant funds and potential lawsuits. Mr. Broughton with Overstreet and Associates, one of the engineers who submitted a proposal for the RFQ, was also in attendance. Mr. Olen discussed another project the City is involved in that Overstreet and Associates is involved in. Discussion continued on the RFQ and the engineer selection. This item was tabled for further review and discussion.

IX. APPROPRIATION REQUESTS: (Ordinance)

A. Appropriation-North Main Street at Fire Station #2 Drainage Improvements-\$95,285

Mrs. Reid reviewed the North Main Street appropriation request. The Mayor, Mr. Landry, S. E. Civil, Mr. Josh Meek, McElhenney Construction Company LLC, Mr. Newman, City Engineer, and Mr. Troy Strunk discussed the change order and how many of the requests were the City's responsibility. The Mayor asked several questions and recommended this item be placed on a future committee meeting agenda after more information on the change order can be obtained.

X. SURPLUS

There were no surplus items discussed.

XI. NEW BUSINESS

A. Authorization of New Lease-John Deere 524P Loader

Mrs. Reid reviewed the lease information for the John Deere 524P Loader and stated a motion is needed to authorize the Mayor to sign the lease agreement. Discussion was made that this item would be forwarded to the Public Works Committee for further review and a motion.

B. Animal Shelter Donation

Mrs. Reid reviewed the donation made to the Daphne Animal Shelter by Ms. Marilyn B. Rouse in the amount of \$50,000. The Mayor discussed displaying some form of recognition in the new Animal Shelter building in honor of Ms. Rouse.

XII. OLD BUSINESS

A. New Debt Issuance

Mrs. Reid reviewed the Projects needing to be funded before December 2023 and the debt issuance process. Mrs. Reid stated the first step would be obtaining the City's current bond rating and what that process included. Mrs. Reid reviewed funding resources available: \$9 million from excess reserves over minimum fund balance and \$9 million debt to be issued to fund the \$18 million total estimated cost of the projects. Council indicated their wish to begin the process of issuing new debt with general obligation warrants.

XIII. ADJOURN The meeting adjourned at 5:42 p.m.

**COMMUNITY DEVELOPMENT
INTERNAL MEMORANDUM**



DATE: May 25, 2023
TO: Office of the City Clerk
FROM: Adrienne Jones, AICP, Director of Community Development
SUBJECT: Planning Commission Minutes and Report

A handwritten signature in blue ink, appearing to be "AG", located next to the "FROM:" line.

Attached please find a copy of the approved minutes for the City of Daphne Planning Commission special called meeting of the May 4, 2023 and the report of the regular meeting of May 25, 2023 for placement on the June 5, 2023 City Council agenda for review.

Should you have any questions or comments in this regard, please do not hesitate to call.

ADJ/jv

**The City of Daphne
Planning Commission Minutes
Special Called Meeting of May 4, 2023
Council Chamber, City Hall - 5:00 P.M.**

Call to Order:

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

Call of Roll:

Members Present:

Kevin Spriggs
Adam Manning
John Peterson, Secretary
Kimberly Samry
Marybeth Bergin, Chairwoman
Nathan Jones
Ronnie Huskey
Andrew Prescott, Vice Chairman

Staff Present:

Adrienne Jones, AICP, Director of Community Development
Jan Vallecillo, Planning Coordinator
Patrick Dungan, Attorney
Troy Strunk, Executive Director, City Development
Joshua Newman, City Engineer
Natasha Miles, Planner
Phillip Adams, Site Containment Officer

Chairwoman called for the first order of business: approval of the minutes.

Chairwoman asked for input regarding the March 23, and April 27, 2023 minutes presented by staff. There being none, minutes stand approved as submitted.

Chairwoman called for the next order of business: Roy A. Wulff and Cynthia J. Wulff Revocable Trust Dated 12/14/2016 pre-zoning and annexation request.

An introductory presentation was given by the agent, Jo Anne Burrage. She summarized the pre-zoning and annexation request as presented on the agenda. She stated there are no development plans at this time other than the use of the residential home as a rental property.

Mr. Spriggs asked the zoning of the property. Chairwoman stated the property is zoned RSF-E, Residential Single Family Estate, and a map is provided illustrating the zoning designations in this area.

The Chairwoman opened the floor to the public hearing.

**The City of Daphne
Planning Commission Minutes
Regular Meeting of April 27, 2023
Council Chamber, City Hall - 5:00 P.M.**

Steve Wadlington, 10093 Belgrove Avenue, spoke in opposition and requested that the subject property be annexed into the city with a residential zoning designation.

The chairwoman closed the floor to the public hearing and commented regarding the receipt of citizen comments. She advised that the Planning Commission makes a recommendation and the City Council makes the final decision.

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

A motion was made by Mr. Spriggs and seconded by Mr. Prescott to set forth a favorable recommendation to the City Council to pre-zone the subject property to B-1(a), Limited Local Business. There was no discussion. The vote carried unanimously.

A motion was made by Mr. Spriggs and seconded by Mr. Manning to set forth a favorable recommendation to the City Council to annex the subject property into the Daphne city limits. There was no discussion. The vote carried unanimously.

Chairwoman called for the next order of business: The Reserve at Daphne, Phase Two street acceptance.

An introductory presentation was given by Mrs. Jones requesting acceptance of the rights-of-ways in the Reserve at Daphne, Phase Two. She stated the subdivision final plat and all maintenance bonds have been presented.

Chairwoman asked for staff comments. Mr. Newman stated his comments regarding drainage have been addressed.

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

A motion was made by Mr. Spriggs and seconded by Mr. Prescott to set forth a favorable recommendation to the City Council to accept the streets in The Reserve at Daphne Subdivision, Phase Two. There was no discussion. The vote carried unanimously.

Chairwoman called for the next order of business: the proposed amendments to the Land Use Ordinance, Article 35, the Table of Permitted Uses, and Article 36, the Village Overlay District.

An introductory presentation was given by Mrs. Jones. She provided an overview of proposed amendments to the Land Use and Development Ordinance and noted modifications discussed at the site preview meeting and said the document has been submitted for review and discussion, and requests a favorable recommendation to City Council.

**The City of Daphne
Planning Commission Minutes
Regular Meeting of April 27, 2023
Council Chamber, City Hall - 5:00 P.M.**

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

A **Motion** was made by Mr. Prescott and **Seconded** by Mr. Manning **to set forth a favorable recommendation to the City Council to amend the Land Use Ordinance Articles 35 and 36 as presented. There was no discussion on the motion. The Motion carried unanimously.**

Chairwoman called for the next order of business: public participation.

Chairwoman opened the floor to public participation. The floor was closed after no one came forward to speak.

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

Mr. Dungan had no report.

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

None presented.

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

Mrs. Jones advised that May 17th and May 25th are the upcoming meeting dates.

There being no further business, the meeting was adjourned at 5:26 p.m.

Respectfully submitted by:


Jan Vallecillo, Planning Coordinator

Approved: May 25, 2023


Marybeth Bergin, Chairwoman

**CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF MAY 25, 2023
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.**

Report



1. **CALL TO ORDER:** 5:02 p.m.
2. **CALL OF ROLL** Marybeth Bergin, Kevin Spriggs, Steve Olen, Nathan Jones, John Peterson, Ronnie Huskey, Andrew Prescott, Kimberly Samry and Adam Manning
3. **APPROVAL OF MINUTES:** Review of minutes of the special called meeting of May 4, 2023. (**Approved**)
4. **NEW BUSINESS:**

A. SITE PLAN REVIEW:

1. File SP23-02: (**Approved**)

Site: Daphne Business Park, Unit 3, Lot 6

Zoning: *C/I, Commercial/Industrial*

Location: Northeast of Stanton Road and Profit Drive

Area: 0.60 Acres $\pm$

Owner: Thomas Investment Holdings, L.L.C.

Agent: James B. Pittman, Jr.

Engineer: Sawgrass Consulting - Jaye Robertson

B. FINAL PLAT REVIEW:

1. File SDF23-03: (**Approved**)

Subdivision: French Settlement, Phase 4B

Zoning: *R-6(G), Garden or Patio Home*

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

Area: 8.85 Acres $\pm$, (37) lots

Owner: 68V French Settlement 2021, L.L.C. - Nathan Cox

Agent: Dewberry - Cathy Barnette

Surveyor: Dewberry - Victor Germain

Engineer: Dewberry - Jason Estes

2. **STREET ACCEPTANCE PETITION:**

1. File AP23-05: (**Approved contingent upon receipt of the recorded plat for the subdivision**)

Presentation to be given by Cathy Barnette, Dewberry, recommending acceptance of all right-of-ways contained within French Settlement, Phase 4B. Said right-of-ways being Rosedown Lane (1,277 linear feet).

C. PRELIMINARY/FINAL PLAT:

- 1. File SDPF23-04: (Approved contingent on adding a note that expressly states "no commercial access to Main Street")**

Subdivision: Broughton

Zoning: *R-2, Medium Density Single Family Residential, and B-2, General Business*

Location: Northwest of Walmart Drive and U.S. Highway 98

Area: 3.74 Acres $\pm$, (2) lots

Owner: Charles Richard Broughton, IV and Bonnie Sue Broughton

Surveyor: Smith Clark & Associates - Daniel Clark

Agent: Smith Clark & Associates - Hunter Smith

- 2. File SDPF23-05: (Approved)**

Subdivision: Davis

Zoning: *B-2, Neighborhood Business, Baldwin County District 15, in the Extraterritorial Planning Jurisdiction of Daphne*

Location: Southeast of the intersection of Rebel Road and Alabama Highway 181

Area: 6.96 Acres $\pm$, (2) lots

Owner: Ralph David Davis

Surveyor: Dewberry - Jason Gibson

Agent: Dewberry - Cathy Barnette

D. SIRMON PROPERTIES, L.L.C. PRE-ZONING AMENDMENT AND ANNEXATION:

- 1. File PZA23-03: (Favorable recommendation to City Council)**

Applicant: Sirmon Properties, L.L.C.

Present Zoning: *RSF-E, Residential Single Family Estate, Baldwin County District 15, in the Extraterritorial Planning Jurisdiction of Daphne*

Proposed Zoning: *R-6(G), Garden or Patio Home*

Area: 20 Acres $\pm$

Location: Northeast of the intersection of Parker Lane and County Road 13

Agent: Holiday Builders, Inc. - Richard Fadil

Owner: Sirmon Properties, L.L.C. - James Sirmon

- 2. ANX23-03: (Favorable recommendation to City Council)**

A presentation to be given by Richard Fadil, Holiday Builders, Inc., requesting annexation of twenty acres located northeast of Parker Lane and County Road 13. The subject property is currently zoned RSF-E, Residential Single Family Estate, Baldwin County District 15, in the Extraterritorial Planning Jurisdiction of Daphne.

**CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF MAY 25, 2023
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.**

Report

E. EUNICE LETT-COLEMAN ZONING AMENDMENTS:

1. File ZA23-01: (Favorable recommendation to City Council)

Applicant: Eunice Lett-Coleman

Present Zoning: *R-1, Low Density Single Family Residential*

Proposed Zoning: *PUD, Planned Unit Development*

Area: 3.82 Acres ±

Location: Northwest of the intersection of Pollard Road and Wilson Avenue

Agent: Dewberry - Cathy Barnette

Developer: Acre Development

Owner: Eunice Lett-Coleman

2. File ZA23-02: (Favorable recommendation to City Council)

Applicant: Eunice Lett-Coleman

Present Zoning: *R-2, Medium Density Single Family Residential*

Proposed Zoning: *PUD, Planned Unit Development*

Area: 1.46 Acres ±

Location: Southwest of the intersection of Pollard Road and Wilson Avenue

Agent: Dewberry - Cathy Barnette

Developer: Acre Development

Owner: Eunice Lett-Coleman

F. ADMINISTRATIVE PRESENTATION:

1. JUBILEE FARMS, PHASE TWELVE, MODIFICATION TO WETLAND BUFFER REQUIREMENT:

File AP23-06: (Approved)

Presentation to be given by Cathy Barnette, Dewberry, request for modification to the wetland buffer requirement for Jubilee Farms, Phase Twelve.

5. PUBLIC PARTICIPATION: None presented.

6. ATTORNEY'S REPORT: No report. He stated that you will be missed.

7. COMMISSIONER'S COMMENTS: Commissioners thanked Mrs. Bergin for her service and wished her well.

8. DIRECTOR'S COMMENTS: Director presented the upcoming meeting dates. Site Preview is June 14, and the Regular Meeting is June 22, 2023. Ms. Jones thanked Mrs. Bergin for her service and commended her dedication during her time on the Planning Commission.

9. ADJOURNMENT: 6:12 p.m.

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF MAY 25, 2023
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Report



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CITY OF DAPHNE
PLANNING COMMISSION AGENDA
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Proposed Zoning: *PUD, Planned Unit Development*

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File AP23-06: **(Approved)**

Presentation to be given by Cathy Barnette, Dewberry, request for modification to the wetland buffer requirement for Jubilee Farms, Phase Twelve.

5. **PUBLIC PARTICIPATION:** None presented.

6. **ATTORNEY'S REPORT:** No report. He stated that you will be missed.

7. **COMMISSIONER'S COMMENTS:** Commissioners thanked Mrs. Bergin for her service and wished her well.

8. **DIRECTOR'S COMMENTS:** Director presented the upcoming meeting dates. Site Preview is June 14, and the Regular Meeting is June 22, 2023. Ms. Jones thanked Mrs. Bergin for her service and commended her dedication during her time on the Planning Commission.

9. **ADJOURNMENT:** 6:12 p.m.

**COMMUNITY DEVELOPMENT
INTERNAL MEMORANDUM**

DATE: May 26, 2023
TO: Office of the City Clerk
FROM: Adrienne Jones, AICP, Director of Community Development
SUBJECT: Sirmon Properties, L.L.C. Pre-Zoning Amendment

A
1

PRESENT ZONING: RSF-E, Residential Single Family Estate, Baldwin County District 15, in the Extraterritorial Planning Jurisdiction of Daphne

PROPOSED PRE-ZONING: R-6(G), Garden or Patio Home

LOCATION: Northeast of Parker Lane and County Road 13

RECOMMENDATION: At the May 25, 2023 regular meeting of the City of Daphne Planning Commission, nine 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
6. Citizen Comments

PREZONING REQUEST

SIRMON PROPERTIES, LLC





SIRMON PROPERTIES, LLC.

Pre-zoning Amendment

Zoning Classification:

Baldwin County RSF-E, Residential Single Family Estate (ETJ)

Surrounding Zonings/Uses:

- **North**—R-4, High Density Single Family
- **South**—RSF-E, Residential Single Family Estate (ETJ)
- **West**—B-3, Professional Business (The Brenny Convalescent Home)
- **East** —RSF-E, Residential Single Family Estate (ETJ)

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

Affected City Service Providers: Fire Station 3, Police Beat 3, Public Works

Staff Recommendation to PC: Favorable recommendation to City Council as R-6(G)

Proposed Zoning:

R-6(G), Garden/Patio Homes

Development Concept:

Single Family
Residential Subdivision

Council District:

4

Existing Conditions:

20 ac

PC Recommendation to Council:

Favorable recommendation to City Council as R-6(G)

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.

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:

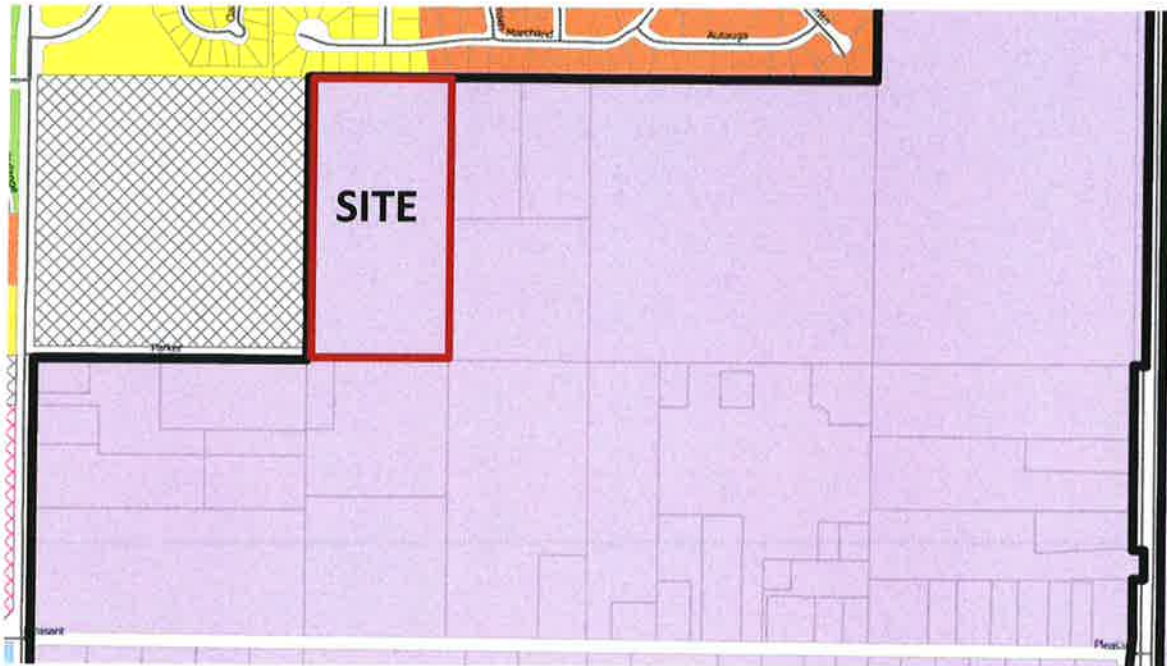
The applicant proposes to pre-zone the subject property to R-6(G), Garden/Patio Homes, in order to build a residential subdivision with approximately 70 single family lots. The proposed zoning is consistent with the Goals and Objectives noted in the Comprehensive Plan as stated above.

To the north, the site is contiguous to Sehoj Subdivision Phase One which is zoned R-4, High Density Single Family Residential. To the west is the Brennity, a convalescent home and assisted living facility for the elderly. To the south and east are properties zoned for residential development within Baldwin County.

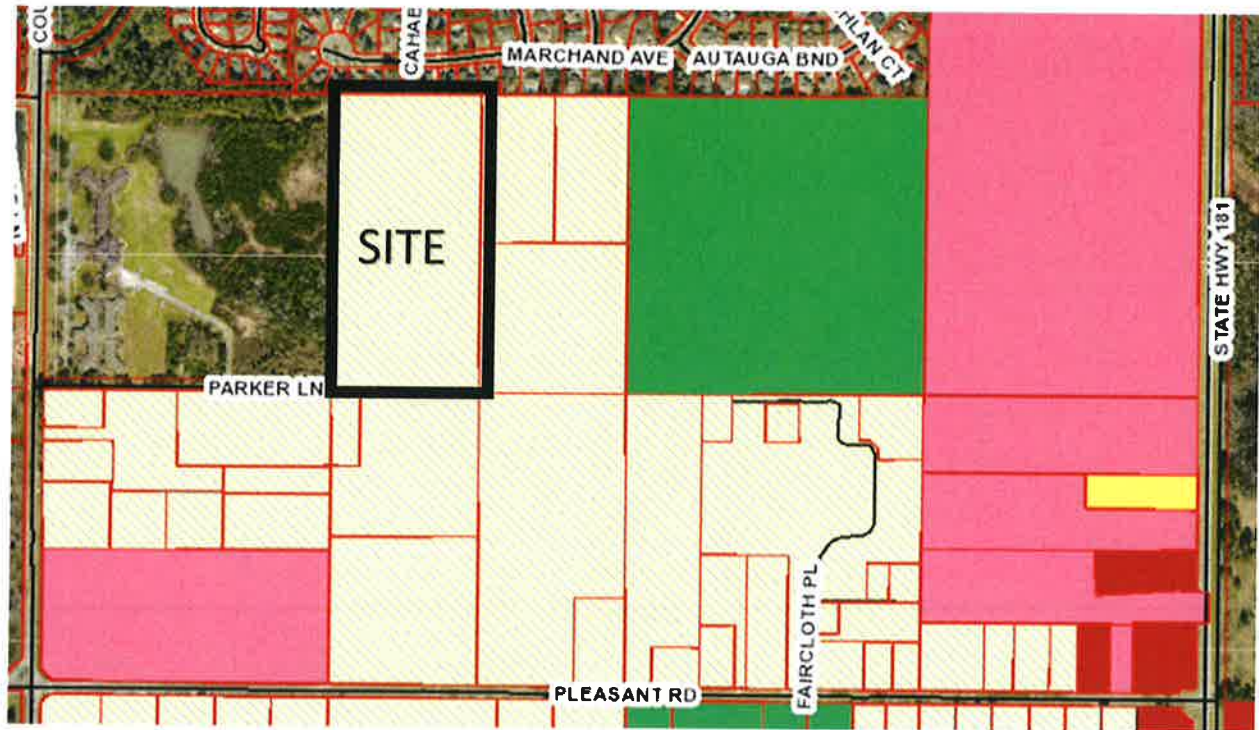
R-6(G) is the equivalent to R-4 in terms of minimum lot size, width, and density. R-4 is a "retired" zoning classification, meaning that the existing parcels zoned as such have vested development rights established by the Land Use and Development Ordinance. The City, however, will no longer consider requests for R-4 but rather requests for R-6(G) for single family subdivisions.

The proposed zoning is consistent with the established goals of the Comprehensive Plan, consistent with the precedent for high density single family residential zoning and would be considered harmonious in terms of adjacent land use, therefore, staff recommends the Planning Commission render a favorable recommendation to City Council to pre-zone the site to R-6(G) and to annex the land into the corporate limits.

CITY ZONING MAP EXCERPT



- ET JURISDICTION
- Zoning as of 5/31/2022**
-  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
 -  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



Baldwin County Zoning Map Excerpt

- ☑ County Zoning
- | | |
|---|--|
| ■ Rural District (RR) | ■ Residential Manufactured Housing Park District (RMH) |
| ■ Rural Agricultural District (RA) | ■ Base Community Zoning District (BCZ) |
| ■ Conservation Resource District (CR) | ■ Marine Recreation District (MR) |
| ■ Residential Single Family Estate District (RSF-E) | ■ Outdoor Recreation District (OR) |
| ■ Residential Single Family District (RSF-1) | ■ Tourist Resort District (TR) |
| ■ Residential Single Family District (RSF-2) | ■ Recreational Vehicle Park District (RV-1) |
| ■ Residential Single Family District (RSF-3) | ■ Recreational Vehicle Park District (RV-2) |
| ■ Residential Single Family District (RSF-4) | ■ Professional Business District (B-1) |
| ■ Residential Two Family District (RTF-4) | ■ Neighborhood Business District (B-2) |
| ■ Residential Single Family District (RSF-6) | ■ General Business District (B-3) |
| ■ Residential Two Family District (RTF-6) | ■ Major Commercial District (B-4) |
| ■ Residential Multiple Family District (RMF-6) | ■ Limited Business District (LB) |
| ■ High Density Residential District (HDR) | ■ Light Industrial District (M-1) |
| | ■ General Industrial District (M-2) |
| | ■ Moratorium District |

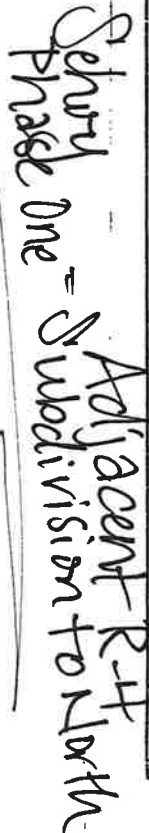
13-4 REQUIREMENTS FOR LOT AREA, WIDTH, COVERAGE, DENSITY, HEIGHT AND OTHER FACTORS

The following shall apply in districts as outlined, except Planned Unit Developments or Innovative Design for Single Family, and as provided below:

MINIMUM LOT REQUIREMENTS

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

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



APPLICATION & SUPPLEMENTAL INFORMATION



APPLICATION FOR REZONING OR PRE-ZONING

Office use only: Rev. 072816

Date Submitted April 24, 2023

Application Number:

Planning Commission Public

ZA- or PZA- 23-03

Hearing Date: May 25, 2023

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):
9301 PARKER LN DAPHNE AL, 36526

PPIN#(s):
038888

Gross Site Area (acreage): 20

Requested Zoning or Pre-Zoning: R6(G)

Current Zoning Designation(s):
RSF-E

Amended Request:

Initials: Date:

Current Land Use: Agriculture

Anticipated Land Use: Single Family Detached Homes

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

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

Annexation

Subdivision

Site Plan

Special Exception

Variance

Specify Other

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: Sirmon Properties, LLC

Mailing Address: 25359 CO RD 54 E Daphne AL 36526

Phone/Fax: 251-747-7530
E-mail: sweetpotato36526@aol.com

Name of Authorized Agent: Richard Fadil, Executive VP

Mailing Address: 2293 W Eau Gallie Blvd, Melbourne FL 32935

Phone/Fax: 321-610-5178
E-mail: raf@holidaybuilders.com

Name of Developer*: Holiday Builders, Inc
2293 W Eau Gallie Blvd, Melbourne FL 32935

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: <u>R. Fadil</u>	Date: <u>3/20/23</u>
Agent's Signature: <u>R. Fadil</u>	Date: <u>3/20/23</u>

May 24, 2023

To Whom It May Concern:

As per my recent request for annexation with R6(G) zoning of our Parker Lane project I am writing to confirm for the Daphne Planning Commission that Holiday Builders is certifying that this project will be a maximum of 67 lots with minimum lot widths of 65 feet.

To that end, I am attaching a preliminary drawing from our engineer bearing out the lot widths and depths. This is not a finalized plan, and we realize that the final layout might change. No future change to this plan, in its final state, will include more than the requested 67 lots nor will any lot be less than 65' wide at the building set back line.

Thank you for your consideration and we look forward to working with the City of Daphne on this and other projects in the future.

Sincerely;

DK Armacost

David K. Armacost
Area Director
Holiday Builders
4900 Bayou Blvd., Suite 210
Pensacola, FL 32503

Adrienne Jones, AICP

From: David Armacost <darmacost@holidaybuilders.com>
Sent: Thursday, May 25, 2023 4:22 PM
To: Adrienne Jones, AICP
Cc: Troy Strunk, PLA
Subject: Re: Parker Lane annexation request with R6(G) zoning

Adrienne - My sincere apology. Please accept this email as my commitment to the City of Daphne that we will bring Parker Lane up to meet the City's standards for ingress and egress roads into subdivisions. Again, I apologize as it was my intent to have included that in my letter yesterday. Thank you in advance for your assistance and we look forward to working with you on this and future projects.

Sincerely;

David K Armacost

From: Adrienne Jones, AICP <ajones@daphneal.com>
Sent: Thursday, May 25, 2023 3:08 PM
To: David Armacost <darmacost@holidaybuilders.com>
Cc: Troy Strunk, PLA <tstrunk@daphneal.com>
Subject: RE: Parker Lane annexation request with R6(G) zoning

Hi there,

I know you won't be at the meeting tonight, however in looking at the statement, I don't see a commitment to making improvements to the existing Parker Lane Right of Way.

Adj



Adrienne Jones, AICP
Community Development Director

ajones@daphneal.com

City of Daphne, Alabama - "The Jubilee City"

251-

Phone: 620- Web: <https://link.edgepilot.com/s/d69d3455/syAeHXugTUIMHIDZ6pMGrw?u=http://www.daphneal.com/>
1700

From: David Armacost <darmacost@holidaybuilders.com>
Sent: Wednesday, May 24, 2023 2:48 PM
To: Adrienne Jones, AICP <ajones@daphneal.com>
Cc: Troy Strunk, PLA <tstrunk@daphneal.com>
Subject: Parker Lane annexation request with R6(G) zoning

Happy Wednesday Adrienne;

I am attaching a letter with our commitment to the maximum of 67 lots with a minimum of 65 foot widths at the setback lines. Additionally, I am attaching a preliminary copy of the project layout. This was thrown together very quickly to prove out the lot widths for our planning purposes. I know that it will need some tweaking and recognize that, in the

end, we might lose a few lots, but our commitment to the City of Daphne remains as stated in the letter. We will build no more than 67 homes in this subdivision. I hope this addresses any concerns the Planning Commission might have.

David K. Armacost
Area Director



4900 Bayou Blvd., Ste. 210, Pensacola, FL

p: 407 745 3751. c: 850 259 1029.

https://link.edgepilot.com/s/4a3d9c4a/0zWZ03sL_EOs8s3KhzcvgA?u=http://www.holidaybuilders.com/darmacost@holidaybuilders.com

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Please consider the environment before printing this e-mail.

Holiday Builders on Behalf of Sirmon Properties, LLC

Pre-Zoning and Annexation Request

9301 Parker Ln Daphne, AL 36526

Exhibit "A"

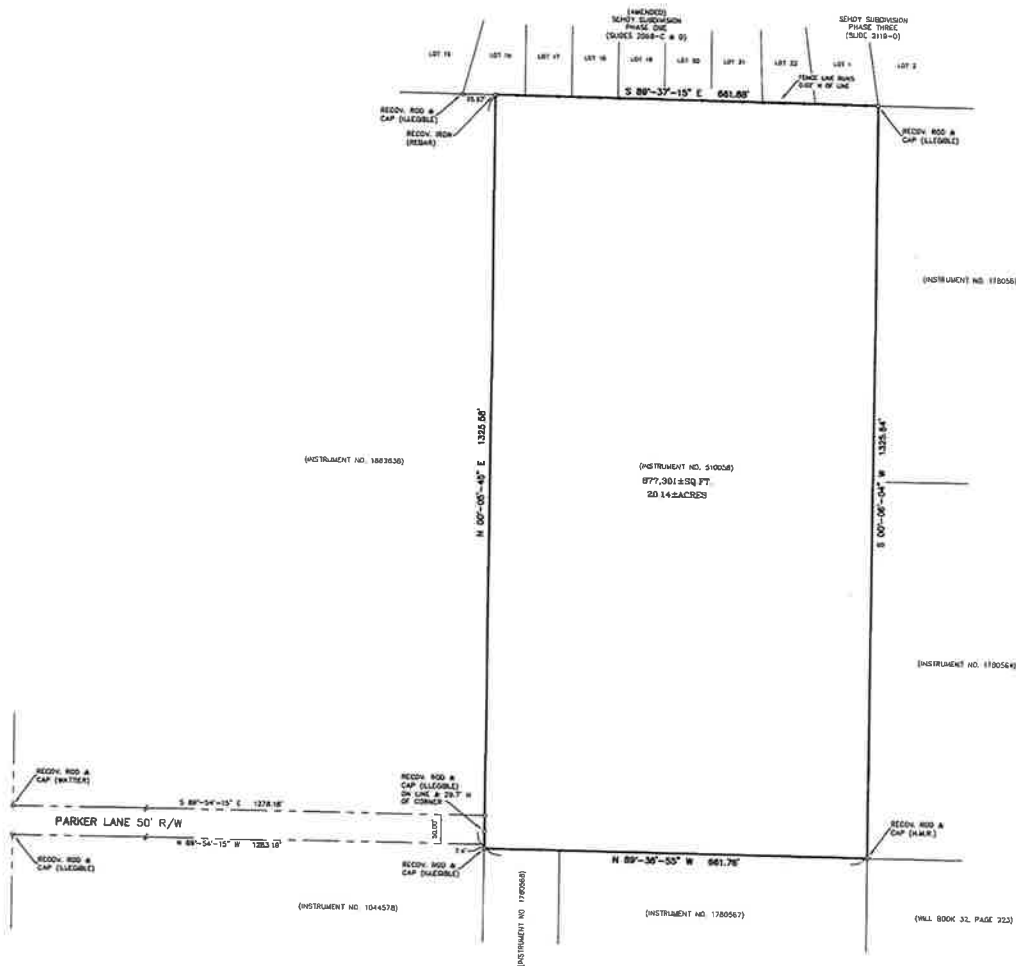
STATE OF ALABAMA

COUNTY OF BALDWIN

LEGAL DESCRIPTION OF PROPERTY to be pre-zoned from RSF-E to R6(G)

The West Half of the Northeast Quarter of the Southwest Quarter of Section 10, Township 5 South, Range 2 East, Baldwin County, Alabama, and being more particularly described as follows: Beginning at a recovered iron marking the Southeast corner of Lot 1, Sehoj Subdivision, Phase Three, as recorded on Slide 2119-D, Probate Court Records, Baldwin County, Alabama, run South $00^{\circ}-06'-04''$ West and along the West line of properties conveyed by Instrument No. 1780569 and 1780564, said Probate Records, a distance of 1325.64 feet to a recovered rod and cap (HMR); said point being on the North line of property conveyed by Instrument No. 1780567, said Probate Records; thence North $89^{\circ}-36'-55''$ West and along the North line of said property, 661.76 feet to a recovered rod and cap; thence North $00^{\circ}-05'-45''$ East and along the East line of property conveyed by Instrument No. 1662638, said Probate Records, a distance of 1325.58 feet to a recovered iron rebar; said point being on the South line of Amended Sehoj Subdivision Phase One, as recorded on Slides 2068-C & D, said Probate Records; thence South $89^{\circ}-37'-15''$ East and along the South line of said subdivision, 661.88 feet to the Point of Beginning. Said property being the same as property conveyed by Instrument No. 510058, said Probate Records.

BALDWIN COUNTY HIGHWAY NO. 13



LEGEND

N	R/W	HIGH-OF-WAY-LINE
	BRIDGE (ACT)	CENTER LINE
		FORESHOULDER LINC
		FENCE LINE (WOODS)
		SUBMERSED POWER LINE
		POWER POLE
		CUT WIDE
		STORM DRAIN LINE
		CONCRETE

SCALE: 1" = 100'

- 1) Stations of Practice for Land Surveying in Alabama require that:
The horizontal position of physical features must be plotted to 1/2000 inch of those shown on the map. The horizontal position of the electronic version of the map shall be considered to be no more accurate than 1/2000 of the map shown. The vertical closure tolerance must be 1/4000 feet.
- 2) Types of Survey: Boundary.
- 3) Final Dates: August 31, 2023.
- 4) Survey Base Reference to Alabama State Plane Coordinate System:
Base Zone 13C31 and 13C32 as established by NAD 83 using ALDOT No 1 as a continuously operating reference station.
- 5) All corners are set on a cap (flow) unless noted otherwise.
- 6) Setback lines shown on the plat (flow) are taken from the indicated plat to the subdivision. Section lines established by statute, ordinances or restrictive covenants are not shown.
- 7) This drawing does not reflect an electronic or title search by the surveyor. Exemptions or Claims of easements may exist.
- 8) Interior Improvements (2nd) are not located.

[illegible]

I hereby state that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information and belief.

This is to state that I have consulted the Federal Insurance Administration flood hazard boundary map for 010030538 W & 010030555 W and dated April 15, 2010, and found that the above described property now is located in Zone Hazard Area "X-1-unshaded" as determined by graphic scale.

Case 1, Mulder, P.C.
Alleged Unlawful For
Land Survey No. 20
Pledge will hold when
they bear an original

Date: 23/07/2023



KEY/NOTES	BOUNDARY SURVEY			
	PREPARED FOR HOLDAY BUILDERS			
		ROWE ENGINEERING & SURVEYING CONSULTING ENGINEERS		
		3542 LACROSSE BL. SUITE B • MOBILE, AL 36688 PHONE: 351-688-2788 • FAX: 351-688-1040		
DRAWING: 05-04-01-00-00 DRAWN BY: JRM CHECKED BY: JRM	PLAN: 16-004 DATE: 05-01-04 PLOT: 05-01-04	SCALE: 1" = 100'	SHEET NO. 1 OF 1	

**Sirmon Properties LLC
Adjacent Property Owners List**

JAMES M & LAURIE D SMITH
9284 MARCHAND AVE
DAPHNE AL 36526
05-43-02-10-0-000-007.043

KARA JAN PALMER
9298 MARCHAND AVE
DAPHNE AL 36526
05-43-02-10-0-000-007.042

ANA K DIAZ OVASTROM
9316 MARCHAND AVE
DAPHNE AL 36526
05-43-02-10-0-000-007.041

CHARLES E III & SARAH & F. SAVERY
9336 MARCHAND AVE
DAPHNE AL 36526
05-43-02-10-0-000-007.040

MATTHEW JOSEPH & SARAH JANE MARZELLA
9258 MARCHAND AVE
DAPHNE AL 36526
05-43-02-10-0-000-007.045

JEREMY & ANGIE ASARISI
9276 MARCHAND AVE
DAPHNE AL 36526
05-43-02-10-0-000-007.044

CORY R PARKER
PO BOX 1303
DAPHNE AL 36526
05-43-02-10-0-000-012.002
05-43-02-10-0-000-013.007
05-43-02-10-0-000-013.001
05-43-02-10-0-000-013.000

WELLTOWER TCG NNN LANDLORD LLC
550 HERITAGE DR STE 200
JUNIPER FL 33458
05-43-02-10-0-000-011.000

TRENT & KRISTIE DRAPER
9342 MARCHAND AVE
DAPHNE AL 36526
05-43-02-10-0-000-007.039

JONATHAN DEWAYNE & SUSAN & DANA ODOM
9358 MARCHAND AVE
DAPHNE AL 36526
05-43-02-10-0-000-007.114

STEVEN J JR & MELAN AND IE. KEARNEY
9364 MARCHAND AVE
DAPHNE AL 36526
05-43-02-10-0-000-007.115

SIRMON PROPERTIES, LLC
25359 CO RD 54 E
DAPHNE AL 36526
05-43-02-10-0-000-010.000

HERMINA SURRITT
PO BOX 933
DAPHNE AL 36526
05-43-02-10-0-000-013.002
05-43-02-10-0-000-013.004

COMMUNITY DEVELOPMENT



May 12, 2023

Dear Sir/Ma'am,

NOTICE OF PUBLIC HEARING

A petition for PRE-ZONING will be considered by the Daphne Planning Commission for Sirmon Properties, L.L.C. containing 20 acres +/- located northeast of the intersection of Parker Lane and County Road 13 zoned RSF-E, Single Family Residential Estate, Baldwin County District 15, in the Extraterritorial Planning Jurisdiction, to be pre-zoned as R-6(G), Garden or Patio Home. 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, May 17, 2023 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, May 25, 2023 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

Sirmon Properties, L.L.C. Pre-Zoning Amendment

Holiday Builders on Behalf of Sirmon Properties, LLC

Pre-Zoning and Annexation Request

9301 Parker Ln Daphne, AL 36526

Exhibit "A"

STATE OF ALABAMA

COUNTY OF BALDWIN

LEGAL DESCRIPTION OF PROPERTY to be pre-zoned from RSF-E to R6(G)

The West Half of the Northeast Quarter of the Southwest Quarter of Section 10, Township 5 South, Range 2 East, Baldwin County, Alabama, and being more particularly described as follows: Beginning at a recovered iron marking the Southeast corner of Lot 1, Sehoj Subdivision, Phase Three, as recorded on Slide 2119-D, Probate Court Records, Baldwin County, Alabama, run South 00°- 06'- 04 " West and along the West line of properties conveyed by Instrument No. 1780569 and 1780564, said Probate Records, a distance of 1325.64 feet to a recovered rod and cap (HMR); said point being on the North line of property conveyed by Instrument No. 1780567, said Probate Records; thence North 89°-36'-55" West and along the North line of said property, 661.76 feet to a recovered rod and cap; thence North 00°-05'-45" East and along the East line of property conveyed by Instrument No. 1662638, said Probate Records, a distance of 1325.58 feet to a recovered iron rebar; said point being on the South line of Amended Sehoj Subdivision Phase One, as recorded on Slides 2068-C & D, said Probate Records; thence South 89°-37'-15" East and along the South line of said subdivision, 661.88 feet to the Point of Beginning. Said property being the same as property conveyed by Instrument No. 510058, said Probate Records.

**COMMUNITY DEVELOPMENT
INTERNAL MEMORANDUM**



DATE: May 25, 2023
TO: Office of the City Clerk
FROM: Adrienne Jones, AICP, Director of Community Development
SUBJECT: Sirmon Properties, L.L.C. Annexation Petition

ADJ
2

PRESENT ZONING: RSF-E, Residential Single Family Estate, Baldwin County District 15, in the Extraterritorial Planning Jurisdiction of Daphne

LOCATION: Northeast of Parker Lane and County Road 13

RECOMMENDATION: At the May 25, 2023 special called meeting of the City of Daphne Planning Commission, nine 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)

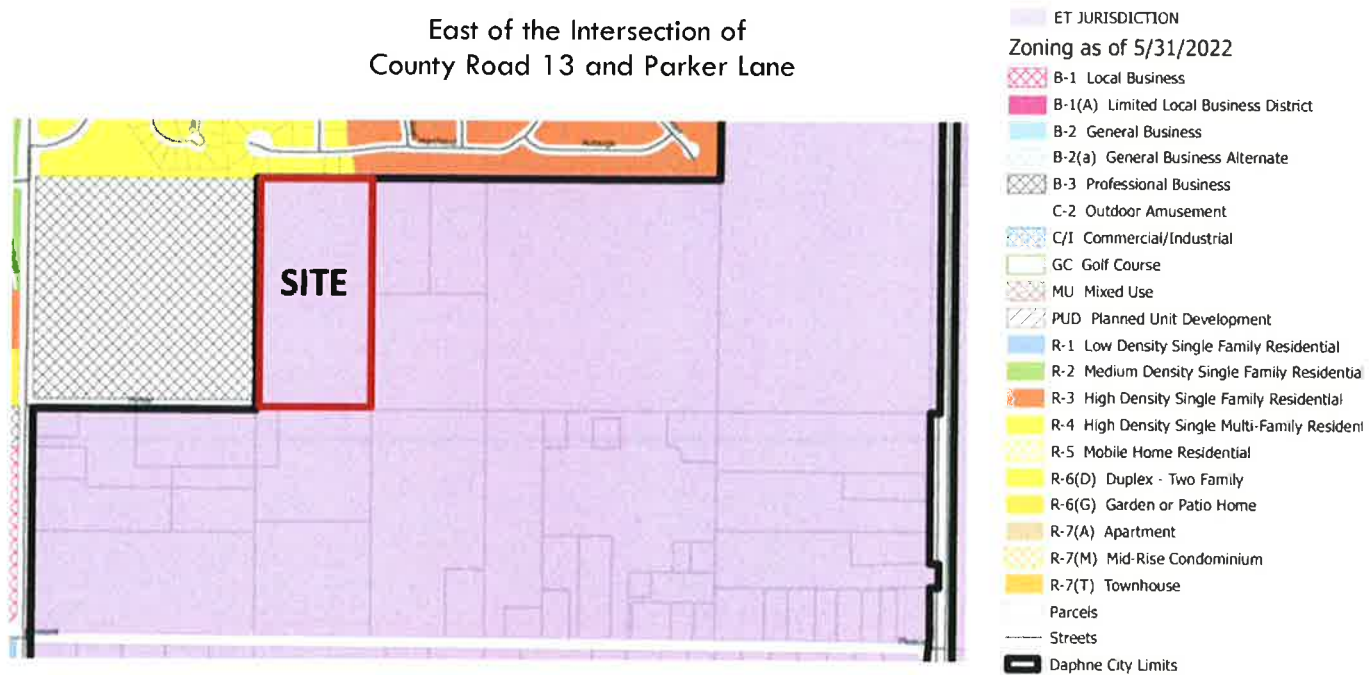
ANNEXATION PETITION

SIRMON PROPERTIES, LLC



ANNEXATION REQUEST SIRMON PROPERTIES, LLC

East of the Intersection of
County Road 13 and Parker Lane



REQUEST

The applicant proposes to annex the subject property into the corporate limits. The site meets the contiguity requirement because it is abuts land in the City of Daphne to the north and west.

RECOMMENDATION

The Comprehensive Plan encourages expansion and annexation of land contiguous to the existing corporate limits. Staff and the Planning Commission recommend approval of the request to annex this land into the City of Daphne.

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, Sirmon Properties, LLC, files this petition with the Clerk of the City of Daphne requesting the property hereafter described, commonly referred to as, Sirmon Properties, LLC, 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, Sirmon Properties, 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: R6-(G)

Any other conditions which may apply upon annexation:

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 20th day of March, 2023

Respectfully submitted,

Sirmon Properties LLC
Name of Corporation

By:

Its:

STATE OF ALABAMA
COUNTY OF BALDWIN

I, Sabrina Tedder Kaiser, the undersigned Notary Public in and for said county and state, hereby certify that James Sirmon whose name as Member of Sirmon Properties 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 20 day of March, 20 23.

Sabrina Tedder Kaiser
NOTARY PUBLIC

My commission expires: October 27, 2026

Corporation's Address

25359 County Rd 54 E.
Daphne AL 36526



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: AS

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: AS

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

Initials: AS

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: AS

SELECT ONE OF THE FOLLOWING OPTIONS

- ☒ Option# 1: We do hereby request pre-zoning of the subject property to the following zoning classification(s): R6(G), and certify that a petition for rezoning, associated fees and documents have been submitted prior to or concurrently with this petition.

Initials: AS

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 20 day of March, 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)? _____ Acreage 20
Subdivision Name _____ Lot Number(s) _____

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

Signature: James Simon Signature: _____

Printed Name: James Simon Printed Name: _____

Mailing Address: 25359 G Rd SVE Mailing Address: _____

Daphne AL 36526

3

Holiday Builders on Behalf of Sirmon Properties, LLC
Pre-Zoning and Annexation Request
9301 Parker Ln Daphne, AL 36526

Exhibit "A"

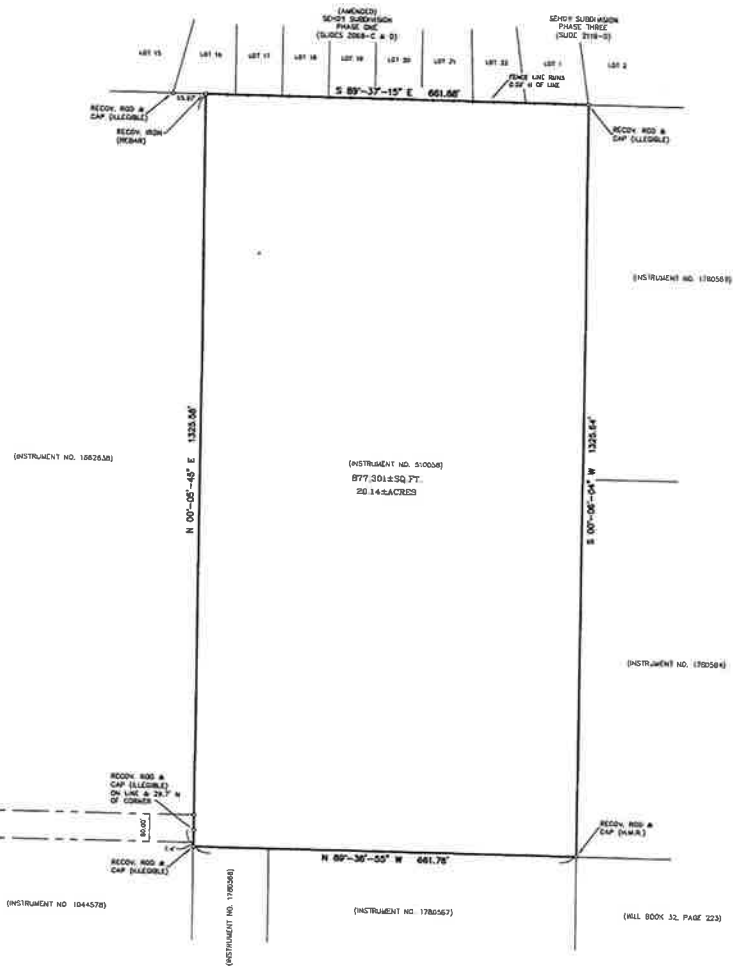
STATE OF ALABAMA

COUNTY OF BALDWIN

LEGAL DESCRIPTION OF PROPERTY to be pre-zoned from RSF-E to R6(G)

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Exhibit B



LEGEND

	RIGHT-OF-WAY
	RECORD
	ACTUAL
	RIGHT-OF-WAY-LINE
	CENTER LINE
	FORESHORTENED LINE
	FENCE LINE (WOOD)
	OVERHEAD POWER LINE
	POWER POLE
	GAS MISC
	STORM DRAIN LINE
	CONCRETE

NOTES:

- 3) Statement of Practice for Land Sampling in Kosovo reports that "the horizontal position of physical features that be plotted is 1/2500 scale. The accuracy of the coordinates is not more accurate than 1/2500 of the map scale may be critical because dimensions must be field checked."
- 4) Type of Survey Boundary.
- 5) Field Data(s), March 87, 2023.
- 6) Internal Basis: Referenced to Kosovo State Plane Coordinate System (NAD 83) (NAD 83) established by BTR GPS using ALTIMAT 400 on a continuously operating reference station.
- 7) All corners are set out on top (flow) unless stated otherwise.
- 8) Unless listed on this plan (if any) we have taken from the nearest part of the subdivision, reflect, are presented by title, ordinance or regulation otherwise are not shown.
- 9) This drawing does not reflect an assumption of the NAD 83 by this surveyor. Comments or Claims of adjacent owners may exist.
- 10) Internal Improvements (if any) not located

LEGAL DESCRIPTION

STATE OF ALABAMA,
COUNTY OF BALDWIN.

[illegible]

I hereby state that all parts of this Survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Arizona to the best of my knowledge, information and belief.

This is to state that I have contacted the Federal Bureau of Investigation (FBI) and the United States Department of Justice (DOJ) and advised them of the above described property and its location in the "Red House Area" and that the same is determined by the FBI and DOJ.

Date: 03/07/2023

Date: 03/07/2023

REVISED	BOUNDARY SURVEY		
	PREPARED BY: HOLLAND BUILDERS		
			
	ROWE ENGINEERING & SURVEYING CONSULTING ENGINEERS		
	2425 ANCHORAGE DR., SUITE B • HOUSTON, AL 35893 PHONE 334-288-2708 • FAX 334-282-0040		
DRAWING: 22424-AL-04g SHEET NO. 001 COUNTRY: P. 001	JOB: 22424 PL: 22424-001 DATE: 12-24-2004	PLAT NAME: 00424 DATE: 12-24-2004	SCALE: 1" = 100' SHEET NO. 1 OF 1



**COMMUNITY DEVELOPMENT
INTERNAL MEMORANDUM**

DATE: May 26, 2022
TO: Office of the City Clerk
FROM: Adrienne Jones, AICP, Director of Community Development
SUBJECT: Eunice Lett-Coleman Zoning Amendment, 3.82 Acres +/-

3

PRESENT ZONING: R-1, Low Density Single Family Residential
PROPOSED PRE-ZONING: PUD, Planned Unit Development
LOCATION: Northwest of the intersection of Pollard Road and Wilson Avenue
RECOMMENDATION: At the May 25, 2023 regular meeting of the City of Daphne Planning Commission, nine members were present. The vote was six in favor and three opposed to set forth a favorable recommendation to the City Council to rezone three-point eight-two acres to a PUD, Planned Unit Development.

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

REZONING PETITION

EUNICE LETT-COLEMAN





EUNICE LETT-COLEMAN

Rezoning Amendment

Zoning Classification:

R-1 (Low Density Single Family Residential)

Surrounding Zonings/Uses:

- **North**—R-1, Low Density Single Family/Residential dwellings
- **South**—R-2, Medium Density Single Family/ Residential dwellings
- **West**— R-1, Low Density Single Family/ Residential dwellings
- **East** — PUD, The Croft Townhome/Undeveloped

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

Affected City Service Providers: Fire Station 2, Police Beat 1, Public Works

Staff Recommendation to PC: Favorable recommendation to City Council as PUD

Proposed Zoning:

PUD, Planned Unit Development

Development Concept:

Single Family Residential Subdivision

Council District:

1

Existing Conditions:

3.82 ac

PC Recommendation to Council:

Favorable recommendation to City Council as PUD (6 to 3 vote)

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.

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 rezone the subject property to PUD, Planned Unit Development in order to build a single family residential subdivision with approximately 11 single family lots at the northwest corner of Pollard Road and Wilson Avenue.

The proposed zoning is consistent with the Goals and Objectives noted in the Comprehensive Plan as stated above. The site is contiguous to land zoned R-1, Low Density Single Family Residential to the north and west. The land to the south is zoned R-2, Medium Density Single Family (rezoning petition on this same agenda). Across Pollard Road is the site zoned PUD and pending development of the Croft Townhouse development.

The PUD narrative provides details about the proposed development (see Application and Supplemental Information).

The proposed zoning is consistent with the established goals of the Comprehensive Plan and consistent with single family residential land use, therefore, staff recommends the Planning Commission render a favorable recommendation to City Council to rezone the site to PUD.

CITY ZONING MAP EXCERPT



- ET JURISDICTION
- Zoning as of 5/31/2022
- 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
 - 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

13-4 REQUIREMENTS FOR LOT AREA, WIDTH, COVERAGE, DENSITY, HEIGHT AND OTHER FACTORS

The following shall apply in districts as outlined, except Planned Unit Developments or Innovative Design for Single Family, and as provided below:

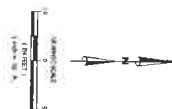
MINIMUM LOT REQUIREMENTS

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

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

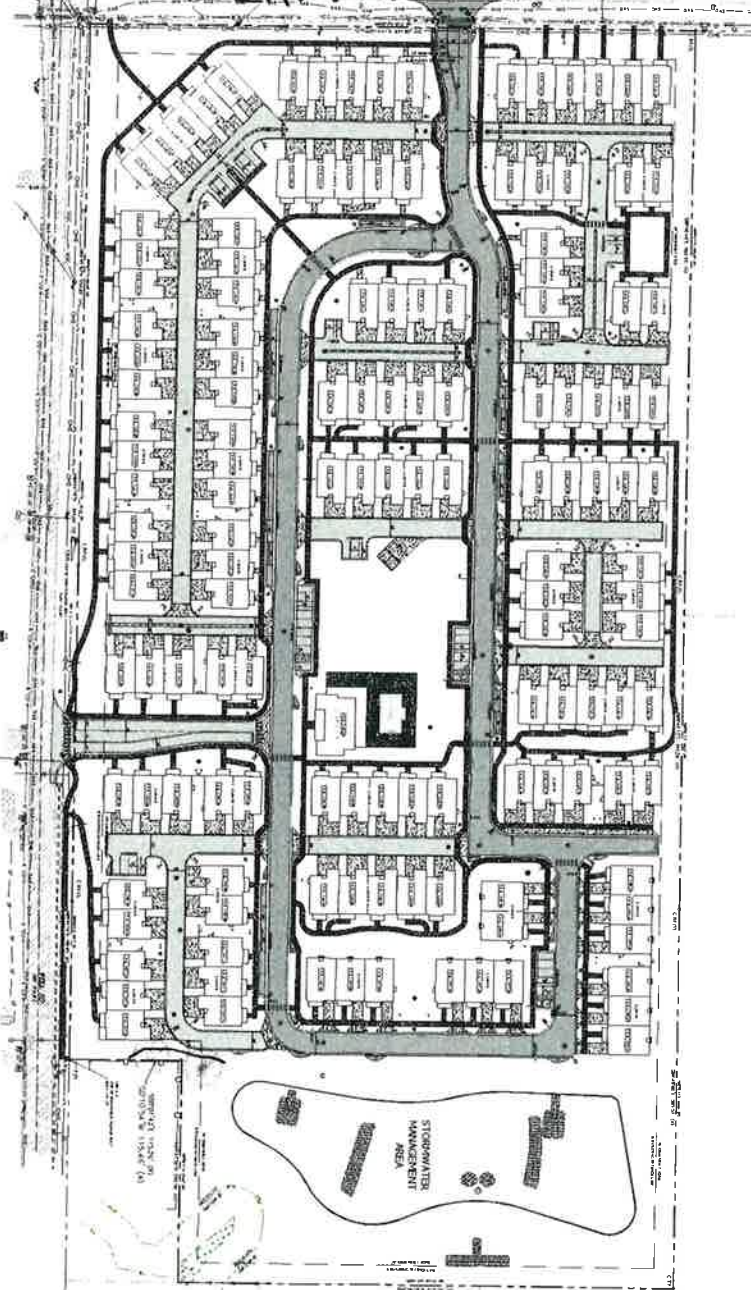
[illegible]

- [illegible]



GENERAL

POLLARD ROAD



The Croft
Townhouse
Proposed
Development
(Pending
Construction)

[illegible]

PREPARED FOR:
CLIENT: DEJAB DARTMOUTH'S
ADDRESS: 1776 DECATUR STREET #200 STE 4000
ATLANTA, GA 30335
CONTACT: LUCY KAZANSKI
PHONE: 404.535.5400

EXISTING UTILITIES DISCLAIMER



POSTED SPEED LIMIT

WELL RD
SPEED
LIMIT
30
POSTED SPEED

Wotlier Survey
Pringleback Land
1978 December, Lane R. Tote

Wolter Surveying, Inc.
Professional Land Surveys
4311 Eastman Lane N. Suite A
Seattle, WA 98105
Tel: 206-761-3000

OVERALL SITE PLAN
THE CROFT AT DAPHNE
DEVLAB PARTNERS

Jiuright & Associates Development Engineers
200 Green Road North, Emeryville, CA 94602
P.O. Box 929, Emeryville, CA 94605
Phone: (415) 936-3445 Fax: (415) 936-3665
info@jiuright.com (415) 936-3187

JADE
CONSISTING

C4.0

APPLICATION & SUPPLEMENTAL INFORMATION



APPLICATION FOR REZONING OR PRE-ZONING

Office use only: Rev. 072816

Date Submitted

April 25, 2023

Application Number:

Planning Commission Public

ZA-23.01 or PZA-

Hearing Date:

May 25, 2023

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): 25684, 59459, 59095

Intersection of Wilson Ave & Pollard Rd; SW Corner

Gross Site Area (acreage):

3.82 ac

Requested Zoning or Pre-Zoning:

PUD

Current Zoning Designation(s):

R-1

Amended Request:

Initials:

Date:

Current Land Use:

Undeveloped

Anticipated Land Use:

Single Family Residential

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

See attached

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:

Eunice Lett-Coleman

Mailing Address:

73 Lozier St, Rochester, NY 14611

Phone/Fax:

E-mail: rljanyc2@att.net

Name of Authorized Agent:

Dewberry Engineers Inc.

Mailing Address:

25353 Friendship Rd, Daphne, AL 36526

Phone/Fax: 251.929.9789

E-mail: dewberry-daphneplanning@dewberry.com

Name of Developer*:

Acre Development

Phone/Fax:

E-mail: cory@acre.dev

Other:

Phone/Fax:

E-mail:

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

Applicant's Signature: <i>Eunice Lett Coleman</i>	Date 04/25/2023
Agent's Signature: <i>Julien [Signature]</i>	Date 04/25/2023

Wilson Place

PUD Narrative

Pre-application Meeting: April 7, 2023 at Daphne City Hall

Owner: Eunice Lett-Coleman

Developer: Acre Development

Legal Description: Warranty Deed / Survey

PPIN: 4 parcels - 25684, 59459, 59095, 25683

Background / Character and Intended Uses:

Proposed Wilson Place subdivision consists of 4 parcels totaling 5.28 acres. Applicant is requesting a PUD but layout meets restrictions of R-6 G zoning. Seventeen residential units are proposed with varying sizes. PUD is requested to provide a unique layout of the property to minimize impervious surface and create a new and unique residential product for Daphne. The minimum lot size is no less than 8000 square feet, average lot size is 8500 square feet. Most lots are 60-foot-wide and 134 feet in depth. Setbacks have been designed to conform with R-6 G zoning. No zoning relaxations are being requested. PUD proposes to address traffic concerns at this intersection through the aid to construction for the roundabout improvements. Furthermore, as depicted on the Site Plan, the 0.24 acres of open space depicted located on the corner of Wilson and Pollard will be dedicated to the City of Daphne.

Comprehensive Plan:

Site remains as residential development and therefore consistent with Comprehensive plan. On the northwest corner of this area, a PUD has been approved with density at 7.72 units/acre for a townhome style complex. Density proposed for this development is 3.18 units/acre for patio style garden homes, R-6 G density allows for 8 units per acre.

Utilities:

Electric – Electrical service will be provided by Riviera Utilities. The City's requirements for street lighting will be adhered to.

Water, Sewer and Gas – Water, sewer and gas services will be provided by the Daphne Utilities.

Telephone – Telephone services will be provided by AT&T.

Coordination with all utility providers will be done at the time of site plan review or subdivision review.

Conceptual Site Plan Rendering:

Traditional layout as presented on conceptual site plan is sufficient to envision proposed PUD project.

Landscaping:

Conceptual Landscape plans are under development. Tree removal will be minimized as the construction of the basin is the only infrastructure needed for this development. Each house will be cleared during individual construction.

Conceptual Building Elevations

Applicant has submitted 3 conceptual plans. Applicant is proposing to utilize hardi-board as primary façade. All 3 sets of submitted elevations have covered carports.

Residential Lot Layout:

Layout on Proposed PUD exhibit / conceptual site plan.

Development Schedule / Phasing Plan:

Construction on single family homes are planned upon acceptance of PUD revision and preliminary/final plat. Basin construction and utility installation is the only infrastructure improvement required for this development. Shared driveways will be installed where feasible for this project.

Traffic Impact Study:

Per pre-application – no traffic study required because improvements have already been determined.

Public Benefit

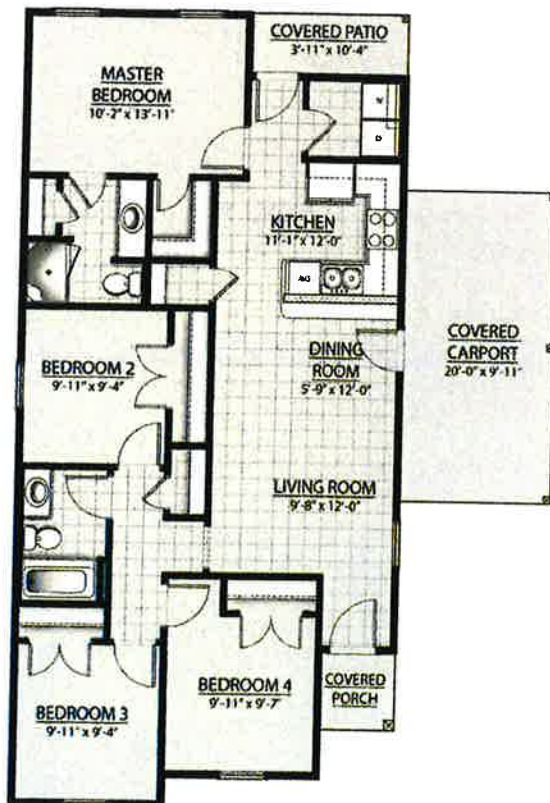
Applicant is donating 0.24 acres of open space on the NW corner of Wilson Avenue and Pollard Avenue along with right of way on the NW and SW corner. A roundabout is part of the City of Daphne Traffic Improvement Plan. Applicant is donating right of way for roundabout installation along with \$50,000 aid to construction for the traffic improvements. It is applicant's understanding this aid to construction is what was done on the PUD across the intersection. The donation of the property is to ensure adequate right of way and City control of the intersection.

Respectfully Submitted



Cathy S. Barnette
cbarnette@dewberry.com
251.929.9801

THE JUNIPER G II PLAN



LIVING AREA

1175 Square Feet

TOTAL AREA

1441 Square Feet

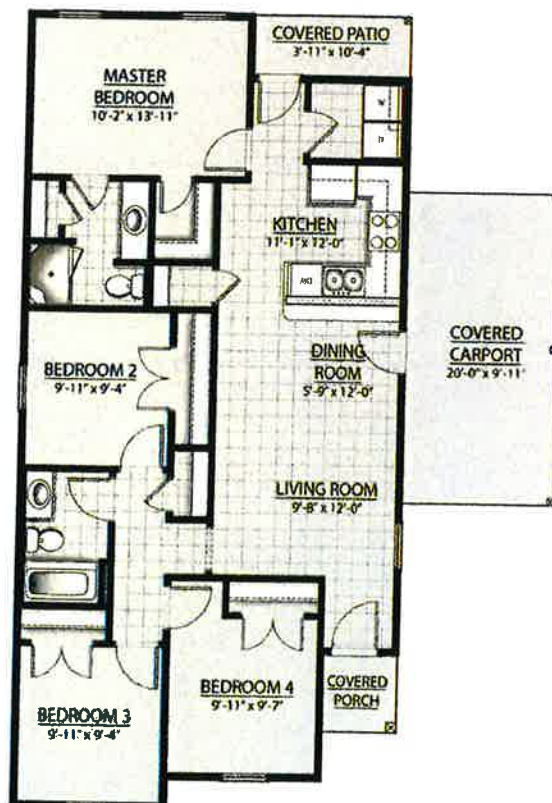
FEATURES

- Open Floor Plan
- Four Bedrooms, Two Bathrooms
- Siding Exterior
- Recessed Lighting in Kitchen
- Walk-In Master Closet
- Covered Rear Patio
- Covered Carport



Floor plans and elevations are subject to change without notice. Elevations and renderings are artistic conceptions and may not accurately depict home styles. Windows, doors and plan configurations are subject to change per elevation. Information contained in this flyer is subject to errors, omissions, changes, withdrawals and prior sales without notice.

THE JUNIPER H II PLAN



LIVING AREA

1175 Square Feet

TOTAL AREA

1441 Square Feet

FEATURES

- Open Floor Plan
- Four Bedrooms, Two Bathrooms
- Siding Exterior
- Recessed Lighting in Kitchen
- Walk-In Master Closet
- Covered Rear Patio
- Covered Carport



Floor plans and elevations are subject to change without notice. Elevations and renderings are artistic conceptions and may not accurately depict home styles. Windows, doors and plan configurations are subject to change per elevation. Information contained in this flyer is subject to errors, omissions, changes, withdrawals and prior sales without notice.

THE SALENE J II PLAN



Living Area

1104 Square Feet

Total Area

1392 Square Feet

Features

- Open Floor Plan
- Three Bedrooms, Two Bathrooms
- Siding Exterior
- Carport
- Walk-In Master Closet
- Recessed Can Lighting in Kitchen, Dining, and Living Room



Floor plans and elevations are subject to change without notice. Elevations and renderings are artistic conceptions and may not accurately depict home styles. Windows, doors and plan configurations are subject to change per elevation. Information contained in this flyer is subject to errors, omissions, changes, withdrawals and prior sales without notice.

Exhibit "A"

State of Alabama
County of Baldwin

Description of Property to be rezoned from R-1 to PUD

PARCEL B:

BEGIN AT A 1/2 INCH CAPPED REBAR FOUND (ILLEGIBLE). MARKING THE NORTHWEST CORNER OF LOT 1, POLLARD ROAD SUBDIVISION, AS SHOWN IN MAP OR PLAT THEREOF, RECORDED IN SLIDE 2865-E, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA:

THENCE RUN S 89°37'44" W, A DISTANCE OF 80.00 FEET, TO A MAG-NAIL WITH WASHER SET (DEWBERRY CA-1109-LS) ON THE WEST RIGHT-OF-WAY OF POLLARD ROAD (80 FEET RIGHT-OF-WAY); THENCE RUN N 00°21'28" E, A DISTANCE OF 60.00 FEET, TO A 5/8 INCH CAPPED REBAR SET (DEWBERRY CA-1109-LS) ON THE WEST RIGHT-OF-WAY OF POLLARD ROAD (80 FEET RIGHT-OF-WAY) BEING THE POINT OF BEGINNING; THENCE RUN S 89°53'31" W, LEAVING SAID WEST RIGHT-OF-WAY AND ALONG THE NORTH RIGHT-OF-WAY OF WILSON AVENUE (60 FEET RIGHT-OF-WAY), A DISTANCE OF 527.42 FEET, TO A 1/2 INCH REBAR FOUND ON THE NORTH RIGHT-OF-WAY OF WILSON AVENUE (60 FEET RIGHT-OF-WAY); THENCE RUN N 00°73'47" E, LEAVING SAID NORTH RIGHT-OF-WAY, A DISTANCE OF 220.70 FEET, TO A 1/2 INCH CAPPED REBAR FOUND (FAIRHOPE); THENCE RUN N 89°7'7"00" E, A DISTANCE OF 17.99 FEET, TO A 5/8 INCH CAPPED REBAR FOUND (ILLEGIBLE); THENCE RUN N 00°13'47" E, A DISTANCE OF 82.57 FEET, TO A 5/8 INCH CAPPED REBAR SET (DEWBERRY CA-1109-LS), ON THE SOUTH RIGHT-OF-WAY OF AUTRY LANE (30 FEET RIGHT-OF-WAY); THENCE RUN S 89°31'38" E, A DISTANCE OF 510.11 FEET, TO A 5/8 INCH CAPPED REBAR SET (DEWBERRY CA-1109-LS), ON THE WEST RIGHT-OF-WAY OF POLLARD ROAD (80 FEET RIGHT-OF-WAY); THENCE RUNS 00°21'28" W, ALONG SAID WEST RIGHT-OF-WAY, A DISTANCE OF 298.29 FEET, TO THE POINT OF BEGINNING, SAID PARCEL CONTAINING 3.61 ACRES (157,346 SQUARE FEET), MORE OR LESS.

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ADJACENT PROPERTY OWNERS FOR WILSON PLACE (NORTH)

Parcel Number	Pin	Owner Name	Address	City	State	Zip
		STALLWORTH, JAMES (33.34% INT)(RICHARDSO AND N, FLORA MAE ATTY-IN-FACT FOR JAMES STAL AND LWORTH);STALLWORTH, WILHELMINA (33.33% AND INT); ERVIN, JIMMY LOUIS (11.11% INT); D AND ANIELS, JANICE (11.11% INT); ERVIN, HENR AND Y LEE (11.11% INT)				
05-43-04-17-1-000-066.000	22557	LETT-COLEMAN, EUNICE	C/O 1413 WILSON AVE	DAPHNE	AL	36526
05-43-04-17-1-000-067.000	25684	LETT-COLEMAN, EUNICE	73 LOZIER ST	ROCHESTER	NY	14611
05-43-04-17-1-000-067.001	59459	LETT-COLEMAN, EUNICE	73 LOZIER ST	ROCHESTER	NY	14611
05-43-04-17-1-000-067.002	59095	LETT-COLEMAN, EUNICE	73 LOZIER ST	ROCHESTER	NY	14611
05-43-04-17-1-000-068.004	1331	AVERA, RANDY	17590 CO RD 28	FOLEY	AL	36535
05-43-04-17-1-000-068.005	1333	AUTRY, JERRY JURDEN	2207 POLLARD RD	DAPHNE	AL	36526
05-43-04-17-1-000-068.006	1334	NETTLES, CHRISTINA	2207 POLLARD RD	DAPHNE	AL	36526
05-43-04-17-4-000-001.000	25683	LETT-COLEMAN, EUNICE	73 LOZIER ST	ROCHESTER	NY	14611
05-43-04-17-4-000-003.000	45669	WILLIAMS, ANNIE	1412 WILSON AVE	DAPHNE	AL	36526
05-43-04-17-4-000-003.001	80674	HYTOWER, ANNIE	1412 WILSON AVE	DAPHNE	AL	36526
05-43-04-17-4-000-003.002	80787	PRUITT, MARY DIXON	1414 WILSON AVE	DAPHNE	AL	36526
05-43-04-17-4-000-003.003	80642	FORREST, LOTTIE	1418 WILSON AVE	DAPHNE	AL	36526
05-43-04-17-4-000-003.004	110218	WHITE, GREGORY L	1422 WILSON AVE	DAPHNE	AL	36526
05-43-04-17-4-000-004.001	40168	GLOVER, ETTA MAE STALLWORTH	836 E 216 ST	DAPHNE	AL	36526
05-43-05-16-0-000-005.002	272528	DAPHNE RTH OWNER L L C	1776 PEACHTREE ST NW STE 100	BRONX	NY	10467
05-43-05-16-0-000-027.000	13114	GRANT, PATRICIA MAYO	24533 KIJLING CT	ATLANTA	GA	30309
				DAPHNE	AL	36526

COMMUNITY DEVELOPMENT



May 12, 2023

Dear Sir/Ma'am,

NOTICE OF PUBLIC HEARING

A petition for REZONING will be considered by the Daphne Planning Commission. Eunice Lett-Coleman proposes to rezone 3.82 acres +/- located northwest of the intersection of Pollard Road and Wilson Avenue from R-1, Low Density Single Family Residential, to a PUD, Planned Unit Development.

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 17, 2023 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, May 25, 2023 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

Eunice Lett-Coleman Zoning Amendment

Exhibit "A"

State of Alabama
County of Baldwin

Description of Property to be rezoned from R-1 to PUD

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**COMMUNITY DEVELOPMENT
INTERNAL MEMORANDUM**

DATE: May 26, 2022
TO: Office of the City Clerk
FROM: Adrienne Jones, AICP, Director of Community Development
SUBJECT: Eunice Lett-Coleman Zoning Amendment, 1.46 Acres +/-

A 4

PRESENT ZONING: R-2, Medium Density Single Family Residential
PROPOSED PRE-ZONING: PUD, Planned Unit Development
LOCATION: Southwest of the intersection of Pollard Road and Wilson Avenue
RECOMMENDATION: At the May 25, 2023 regular meeting of the City of Daphne Planning Commission, nine members were present. The vote was six in favor and three to set forth a favorable recommendation to the City Council to rezone one-point four six acres to a PUD, Planned Unit Development.

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

REZONING PETITION

EUNICE LETT-COLEMAN





EUNICE LETT-COLEMAN

Rezoning Amendment

Zoning Classification:

R-2 (Medium Density Single Family)

Surrounding Zonings/Uses:

- **North**—R-1, Low Density Single Family/Residential dwellings
- **South**—R-2, Medium Density Single Family/ Residential dwellings
- **West**— R-2 (Medium Density Single Family/ Residential dwellings
- **East** — B-2 (General Business)/Commercial

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

Affected City Service Providers: Fire Station 2, Police Beat 1, Public Works

Staff Recommendation to PC: Favorable recommendation to City Council as PUD

Proposed Zoning:

PUD, Planned Unit Development

Development Concept:

Single Family
Residential Subdivision

Council District:

1

Existing Conditions:

1.46 ac

PC Recommendation to Council:

Favorable recommendation to City Council as PUD (6 to 3 vote)

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.

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 rezone the subject property to PUD, Planned Unit Development in order to build a single family residential subdivision with approximately 6 single family lots.

The proposed zoning is consistent with the Goals and Objectives noted in the Comprehensive Plan as stated above. The site is contiguous to land zoned R-2, Medium Density Single Family to the west and south, B-2, across Pollard Road, and R-1, Low Density Single Family Residential to the north (rezoning petition on this same agenda).

The PUD narrative provides details about the proposed development (see Application and Supplemental Information).

The proposed zoning is consistent with the established goals of the Comprehensive Plan and consistent with single family residential land use, therefore, staff recommends the Planning Commission render a favorable recommendation to City Council to rezone the site to PUD.

CITY ZONING MAP EXCERPT



- ET JURISDICTION
- Zoning as of 5/31/2022
- 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
 - 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

13-4 REQUIREMENTS FOR LOT AREA, WIDTH, COVERAGE, DENSITY, HEIGHT AND OTHER FACTORS

The following shall apply in districts as outlined, except Planned Unit Developments or Innovative Design for Single Family, and as provided below:

MINIMUM LOT REQUIREMENTS

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

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

APPLICATION & SUPPLEMENTAL INFORMATION



APPLICATION FOR REZONING OR PRE-ZONING

Office use only: Rev. 072816	Date Submitted: <u>April 25, 2023</u>
Application Number: ZA- <u>23-02</u> or PZA-	Planning Commission Public Hearing Date: <u>May 25, 2023</u>

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): Intersection of Wilson Ave & Pollard Rd; SW Corner	PPIN#(s): 25683
Gross Site Area (acreage): 1.46 ac	Requested Zoning or Pre-Zoning: PUD
Current Zoning Designation(s): R-2	Amended Request: Initials: _____ Date: _____
Current Land Use: Undeveloped	Anticipated Land Use: Single Family Residential
Provide Legal Description (if necessary attach separate page entitled "Legal Description for [Name of Applicant]": See attached	

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:
Eunice Lett-Coleman

Mailing Address:
73 Lozier St, Rochester, NY 14611

Name of Authorized Agent:
Dewberry Engineers Inc.

Mailing Address:
25353 Friendship Rd, Daphne, AL 36526

Name of Developer*:
Acre Development

Other:

Phone/Fax:
E-mail: **rljanyc2@att.net**

Phone/Fax: **251.929.9789**
E-mail: **dewberry-daphneplanning@dewberry.com**

Phone/Fax:
E-mail: **cory@acre.dev**

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: <u>Eunice Lett Coleman</u>	Date 04/25/2023
Agent's Signature: <u>[Signature]</u>	Date 04/25/2023

Wilson Place

PUD Narrative

Pre-application Meeting: April 7, 2023 at Daphne City Hall

Owner: Eunice Lett-Coleman

Developer: Acre Development

Legal Description: Warranty Deed / Survey

PPIN: 4 parcels - 25684, 59459, 59095, 25683

Background / Character and Intended Uses:

Proposed Wilson Place subdivision consists of 4 parcels totaling 5.28 acres. Applicant is requesting a PUD but layout meets restrictions of R-6 G zoning. Seventeen residential units are proposed with varying sizes. PUD is requested to provide a unique layout of the property to minimize impervious surface and create a new and unique residential product for Daphne. The minimum lot size is no less than 8000 square feet, average lot size is 8500 square feet. Most lots are 60-foot-wide and 134 feet in depth. Setbacks have been designed to conform with R-6 G zoning. No zoning relaxations are being requested. PUD proposes to address traffic concerns at this intersection through the aid to construction for the roundabout improvements. Furthermore, as depicted on the Site Plan, the 0.24 acres of open space depicted located on the corner of Wilson and Pollard will be dedicated to the City of Daphne.

Comprehensive Plan:

Site remains as residential development and therefore consistent with Comprehensive plan. On the northwest corner of this area, a PUD has been approved with density at 7.72 units/acre for a townhome style complex. Density proposed for this development is 3.18 units/acre for patio style garden homes, R-6 G density allows for 8 units per acre.

Utilities:

Electric – Electrical service will be provided by Riviera Utilities. The City's requirements for street lighting will be adhered to.

Water, Sewer and Gas – Water, sewer and gas services will be provided by the Daphne Utilities.

Telephone – Telephone services will be provided by AT&T.

Coordination with all utility providers will be done at the time of site plan review or subdivision review.

Conceptual Site Plan Rendering:

Traditional layout as presented on conceptual site plan is sufficient to envision proposed PUD project.

Landscaping:

Conceptual Landscape plans are under development. Tree removal will be minimized as the construction of the basin is the only infrastructure needed for this development. Each house will be cleared during individual construction.

Conceptual Building Elevations

Applicant has submitted 3 conceptual plans. Applicant is proposing to utilize hardi-board as primary façade. All 3 sets of submitted elevations have covered carports.

Residential Lot Layout:

Layout on Proposed PUD exhibit / conceptual site plan.

Development Schedule / Phasing Plan:

Construction on single family homes are planned upon acceptance of PUD revision and preliminary/final plat. Basin construction and utility installation is the only infrastructure improvement required for this development. Shared driveways will be installed where feasible for this project.

Traffic Impact Study:

Per pre-application – no traffic study required because improvements have already been determined.

Public Benefit

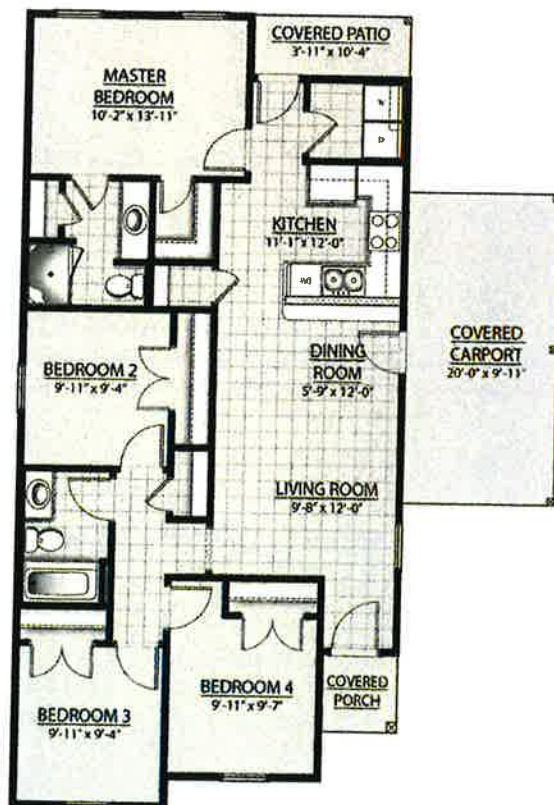
Applicant is donating 0.24 acres of open space on the NW corner of Wilson Avenue and Pollard Avenue along with right of way on the NW and SW corner. A roundabout is part of the City of Daphne Traffic Improvement Plan. Applicant is donating right of way for roundabout installation along with \$50,000 aid to construction for the traffic improvements. It is applicant's understanding this aid to construction is what was done on the PUD across the intersection. The donation of the property is to ensure adequate right of way and City control of the intersection.

Respectfully Submitted



Cathy S. Barnette
cbarnette@dewberry.com
251.929.9801

THE JUNIPER G II PLAN



LIVING AREA

1175 Square Feet

TOTAL AREA

1441 Square Feet

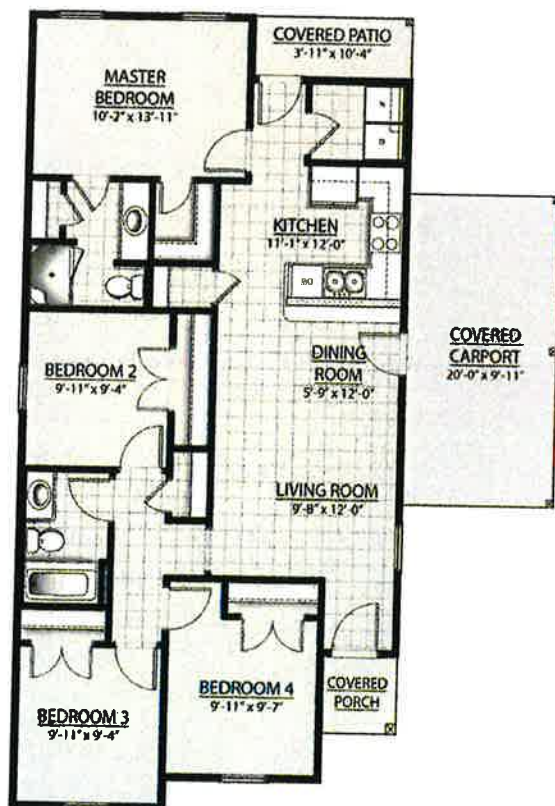
FEATURES

- Open Floor Plan
- Four Bedrooms, Two Bathrooms
- Siding Exterior
- Recessed Lighting in Kitchen
- Walk-In Master Closet
- Covered Rear Patio
- Covered Carport



Floor plans and elevations are subject to change without notice. Elevations and renderings are artistic conceptions and may not accurately depict home styles. Windows, doors and plan configurations are subject to change per elevation. Information contained in this flyer is subject to errors, omissions, changes, withdrawals and prior sales without notice.

THE JUNIPER H II PLAN



LIVING AREA

1175 Square Feet

TOTAL AREA

1441 Square Feet

FEATURES

- Open Floor Plan
- Four Bedrooms, Two Bathrooms
- Siding Exterior
- Recessed Lighting in Kitchen
- Walk-In Master Closet
- Covered Rear Patio
- Covered Carport



Floor plans and elevations are subject to change without notice. Elevations and renderings are artistic conceptions and may not accurately depict home styles. Windows, doors and plan configurations are subject to change per elevation. Information contained in this flyer is subject to errors, omissions, changes, withdrawals and prior sales without notice.

THE SALENE J II PLAN



Living Area

1104 Square Feet

Total Area

1392 Square Feet

Features

- Open Floor Plan
- Three Bedrooms, Two Bathrooms
- Siding Exterior
- Carport
- Walk-In Master Closet
- Recessed Can Lighting in Kitchen, Dining, and Living Room



Floor plans and elevations are subject to change without notice. Elevations and renderings are artistic conceptions and may not accurately depict home styles. Windows, doors and plan configurations are subject to change per elevation. Information contained in this flyer is subject to errors, omissions, changes, withdrawals and prior sales without notice.

Eunice Lett-Coleman
73 Lozier Street, Rochester, NY 14611

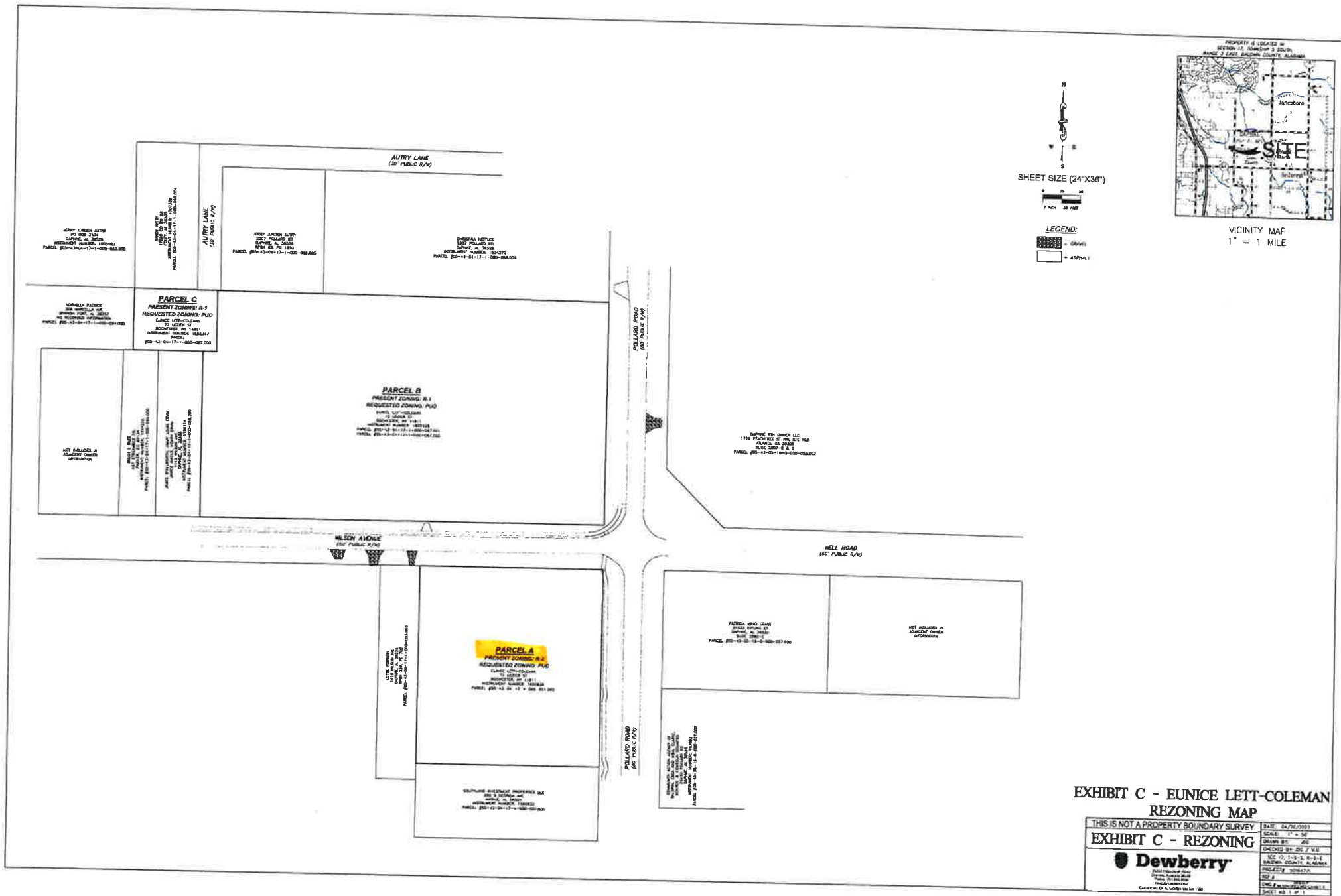
Exhibit "A"

State of Alabama
County of Baldwin

Description of Property to be rezoned from R-2 to PUD

BEGIN AT A 1/2 INCH CAPPED REBAR FOUND (ILLEGIBLE), MARKING THE NORTHWEST CORNER OF LOT 1, POLLARD ROAD SUBDIVISION, AS SHOWN IN MAP OR PLAT THEREOF, RECORDED IN SLIDE 2865-E, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA:

THENCE RUN S 89°3'44" W, A DISTANCE OF 80.00 FEET, TO A MAG-NAIL WITH WASHER SET (DEWBERRY CA-1109-LS) ON THE WEST RIGHT-OF-WAY OF POLLARD ROAD (80 FEET RIGHT-OF-WAY), BEING THE POINT OF BEGINNING; THENCE RUNS 00°21'28" W, ALONG SAID WEST RIGHT-OF-WAY, A DISTANCE OF 265.39 FEET, TO A 5/8 INCH CAPPED REBAR SET (DEWBERRY CA-1109-LS), ON THE WEST RIGHT-OF-WAY OF POLLARD ROAD (80 FEET RIGHT-OF-WAY); THENCE RUNS 89°53'31" W, LEAVING SAID WEST RIGHT-OF-WAY, A DISTANCE OF 239.38 FEET, TO A 5/8 INCH CAPPED REBAR SET (DEWBERRY CA-1109-LS); THENCE RUN N 00°21'28" E, A DISTANCE OF 265.39 FEET, TO A POINT ON THE SOUTH RIGHT-OF-WAY OF WILSON AVENUE (60 FEET RIGHT-OF-WAY), SAID POINT BEING 0.4' SOUTH, MORE OR LESS, FROM A 5 INCH X 5 INCH CONCRETE MONUMENT FOUND WITH 1 INCH OPEN TOP PIPE IN THE CENTER; THENCE RUN N 89°53'31" E, ALONG SAID SOUTH RIGHT-OF-WAY, A DISTANCE OF 239.38 FEET, TO THE POINT OF BEGINNING, SAID PARCEL CONTAINING 1.46 ACRES (63,528 SQUARE FEET), MORE OR LESS. SAID PARCEL LYING AND BEING A PART OF SECTION 23, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA."



ADJACENT PROPERTY OWNERS FOR WILSON PLACE (SOUTH)

Parcel Number	Pin	Owner Name	Address	City	State	Zip
05-43-04-17-1-000-067.002	59095	LETT-COLEMAN, EUNICE	73 LOZIER ST	ROCHESTER	NY	14611
05-43-04-17-4-000-001.000	25683	LETT-COLEMAN, EUNICE	73 LOZIER ST	ROCHESTER	NY	14611
05-43-04-17-4-000-001.001	6497	SOUTHLAND INVESTMENT PROPERTIES L L C	200 S GEORGIA AVE	MOBILE	AL	36604
05-43-04-17-4-000-003.003	80642	FORREST, LOTTIE	1418 WILSON AVE	DAPHNE	AL	36526
05-43-05-16-0-000-005.002	272528	DAPHNE RTH OWNER L L C	1776 PEACHTREE ST NW STE 100	ATLANTA	GA	30309
05-43-05-16-0-000-027.000	13114	GRANT, PATRICIA MAYO	24533 KIPLING CT	DAPHNE	AL	36526
05-43-05-16-0-000-027.002	208314	COMMUNITY ACTION AGENCY OF BALDWIN, ESCA AND MBIA, CLARKE, MONROE & CONECUH COUNTIES	26440 POLLARD RD	DAPHNE	AL	36526

COMMUNITY DEVELOPMENT



May 12, 2023

Dear Sir/Ma'am,

NOTICE OF PUBLIC HEARING

A petition for REZONING will be considered by the Daphne Planning Commission. Eunice Lett-Coleman proposes to rezone 1.46 acres +/- located southwest of the intersection of Pollard Road and Wilson Avenue from R-2, Medium Density Single Family Residential, to a PUD, Planned Unit Development.

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 17, 2023 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, May 25, 2023 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

Eunice Lett-Coleman Zoning Amendment

Eunice Lett-Coleman
73 Lozier Street, Rochester, NY 14611

Exhibit "A"

State of Alabama
County of Baldwin

Description of Property to be rezoned from R-2 to PUD

BEGIN AT A 1/2 INCH CAPPED REBAR FOUND (ILLEGIBLE}, MARKING THE NORTHWEST CORNER OF LOT 1, POLLARD ROAD SUBDIVISION, AS SHOWN IN MAP OR PLAT THEREOF, RECORDED IN SLIDE 2865-E, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA:

THENCE RUN S 89'3/'44" W, A DISTANCE OF 80.00 FEET, TO A MAG-NAIL WITH WASHER SET (DEWBERRY CA-1109-LS) ON THE WEST RIGHT-OF-WAY OF POLLARD ROAD (80 FEET RIGHT-OF-WAY), BEING THE POINT OF BEGINNING; THENCE RUNS 00'21'28" W, ALONG SAID WEST RIGHT-OF-WAY, A DISTANCE OF 265.39 FEET, TO A 5/8 INCH CAPPED REBAR SET (DEWBERRY CA-1109-LS), ON THE WEST RIGHT-OF-WAY OF POLLARD ROAD (80 FEET RIGHT-OF-WAY); THENCE RUNS 89'53'31" W, LEAVING SAID WEST RIGHT-OF-WAY, A DISTANCE OF 239.38 FEET, TO A 5/8 INCH CAPPED REBAR SET (DEWBERRY CA-1109-LS); THENCE RUN N 00'21'28" E, A DISTANCE OF 265.39 FEET, TO A POINT ON THE SOUTH RIGHT-OF-WAY OF WILSON AVENUE (60 FEET RIGHT-OF-WAY), SAID POINT BEING 0.4' SOUTH, MORE OR LESS, FROM A 5 INCH X 5 INCH CONCRETE MONUMENT FOUND WITH 1 INCH OPEN TOP PIPE IN THE CENTER; THENCE RUN N 89'53'31" E, ALONG SAID SOUTH RIGHT-OF-WAY, A DISTANCE OF 239.38 FEET, TO THE POINT OF BEGINNING, SAID PARCEL CONTAINING 1.46 ACRES (63,528 SQUARE FEET), MORE OR LESS. SAID PARCEL LYING AND BEING A PART OF SECTION 23, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA."

**CITY OF DAPHNE
RESOLUTION 2023-32**

Acceptance of Roads and Rights-of-Way: French Settlement, Phase 4B

WHEREAS, the City Council of the City of Daphne, Alabama has received notice that the Daphne Planning Commission has given Final Plat approval to French Settlement, Phase 4B on May 25, 2023, and the City of Daphne hereby recommends acceptance of the roads and rights-of way located in French Settlement, Phase 4B; and

WHEREAS, an inspection was made by the Director of Community Development, and all reports and other related documents have been provided stating that said streets and associated storm water drainage have been installed in conformity with City standards; and

WHEREAS, an inspection was made by the Director of Public Works, and said director has recommended acceptance of said streets and associated storm water drainage, to the extent such drainage facilities affect the rights-of-way, of French Settlement, Phase 4B; and

WHEREAS, the developer has provided to the City a two-year maintenance bond in the amount of \$116,421.17 as required and now requests acceptance and dedication of the same for maintenance of said improvements as outlined in Article XVII, entitled the Procedures for Subdivision Review, of the City of Daphne Land Use and Development Ordinance; and

WHEREAS, the developer has caused the plat to be recorded on slide 2892-A of the records in the Baldwin County Judge of Probate Office; and

WHEREAS, the City Council of the City of Daphne believes it is in the best interest of the citizens of the City for the City to accept said rights-of-way.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE AS FOLLOWS: that the following rights-of-way within French Settlement, Phase 4B, according to the plat presented by Dewberry Engineers Inc. as recorded in the Office of the Judge of Probate, Baldwin County, Alabama, are hereby accepted by the City of Daphne, Alabama as city streets for maintenance:

a portion of Rosedown Lane (1277 linear feet), a 50-ft right of way.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA ON THIS THE _____ DAY OF _____, 2023.

Robin Le Jeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk

**COMMUNITY DEVELOPMENT
INTERNAL MEMORANDUM**



DATE: May 26, 2023
TO: Office of the City Clerk
FROM: Adrienne Jones, AICP, Director of Community Development
CC: Josh Newman, City Engineer, Ronnie Huskey, Public Works Director, William Eringman, Deputy Director Public Works, and Natasha Miles, Planner
SUBJECT: French Settlement, Phase 4B, Acceptance of Roads and Rights-of-Ways

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

RECOMMENDATION: At the May 25, 2023 regular meeting of the City of Daphne Planning Commission, nine members were present. The motion carried unanimously for a favorable recommendation for the acceptance of Rosedown Lane.

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

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

Thank you,
ADJ/jv

Attachment(s)

cc: file

1. Correspondence from project engineer requesting acceptance
2. Record plat
3. Petition of Acceptance of Roads and Rights-of-Ways



Dewberry Engineers Inc.
25353 Friendship Road
Daphne, AL 36526

251 990 9950
251.990.9910 fax
www.dewberry.com

January 23, 2023

Mrs. Adrienne Jones
Planning Director, City of Daphne
P.O. Box 400
Daphne, Alabama 36526

RE: FRENCH SETTLEMENT PHASE 4B
ENGINEER'S CERTIFICATION

Dear Mrs. Jones:

I, Jason Estes, a professional engineer registered in the State of Alabama, Registration Number 22714, do hereby certify that the streets for FRENCH SETTLEMENT PHASE 4B has been completed in full and to the best of my knowledge and to the best of my belief, conforms to the requirements of the City of Daphne Subdivision regulations and to all other rules, regulations, laws, and ordinances applicable to my design.

Therefore, I hereby request that the City of Daphne accept the roads and drainage for FRENCH SETTLEMENT PHASE 4B subdivision.

If you have any questions or comments, regarding this information please give me a call at 251-990-9950.

Sincerely,
Dewberry Engineers Inc.

A handwritten signature in blue ink, appearing to read "Jason", followed by a large, stylized "E" that loops back to the left.

Jason N. Estes, P.E.
Associate Vice President
Business Unit Manager

JNE/db

SLIDE 0002892-A

—

[illegible]

10. RE: MEMBERSHIP, WHO WOULD BE INVOLVED? WHO'S INVOLVED?
 11. WHO CAN BE INVOLVED? WHO WOULD BE INVOLVED? WHO'S INVOLVED?
 12. WHO CAN BE INVOLVED? WHO WOULD BE INVOLVED? WHO'S INVOLVED?
 13. WHO CAN BE INVOLVED? WHO WOULD BE INVOLVED? WHO'S INVOLVED?
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 19. WHO CAN BE INVOLVED? WHO WOULD BE INVOLVED? WHO'S INVOLVED?
 20. WHO CAN BE INVOLVED? WHO WOULD BE INVOLVED? WHO'S INVOLVED?

CURRENT ZONING: R-6(G)
MINIMUM LOT SIZE: 5,600 S.F.
LIN. FT. STREETS: 1,277 L.F.
SMALLEST LOT: 8,834 S.F. (LOT 20)
LARGEST LOT: 11,200 S.F.
COMMON AREA: 0.36 AC (1.3%)
NUMBER OF LOTS: 37
DENSITY: 4.16 UNITS/AC

REQUIRED SETBACKS:
FRONT: 25 FT
REAR: 25 FT
SIDE: 6 FT
SIDE STREET: 20 FT

This image shows a large, dense document, possibly a ledger or a list of names and numbers. It features many columns and rows of text, which is mostly illegible due to the low resolution and high density of the characters. The document appears to be a formal record or a list of data.

[illegible]

Victor Guzman - 4/20/23
AL PLS NO JURY
SAFETY NOT AFFECTED (ORIGINAL SIGNATURE AND SEAL)

SURVEYOR/ENGINEER:
DEWBERRY
25253 FRIENDSHIP RD
DAPHNE, ALABAMA 36526
VICTOR L. GEMMAY, PLS LIC NO. 38473
JASON N. ESTES P.F. LIC NO. 22714

DRAWN/DEVELOPER:
68V FRENCH SETTLEMENT 2021 L.L.C.
707 BELKOE AVE
DAPHNE, AL 36526
PARCEL ID#:
02-43-07-09 0 000-007.C41

[illegible]

CERTIFICATE OF APPROVAL BY DAPHNE UTILITIES (SCHWER)
 THE UNDERSIGNED, AS AUTHORIZED BY DAPHNE UTILITIES, HEREBY APPROVES THE
 ABOVE AND ALL INFORMATION CONTAINED HEREIN FOR THE PURPOSES OF THE
 1997-1998 FISCAL YEAR. DATE: 11/11/98 BY: [Signature]

CERTIFICATION OF APPROVAL OF STREETS,
DRAINAGE AND IMPROVEMENTS:
STATE OF ALABAMA;
CITY OF LAFAYETTE;
COUNTY OF LAFAYETTE;

[illegible]

**FRENCH SETTLEMENT
PHASE 4B**

(A RESUBDIVISION OF LOT TWO OF FRENCH
SETTLEMENT PHASE FOUR)

FINAL PLAT
APRIL 20, 2023 - SHEET 1 OF 1

BOUNDARY SURVEY AND PLAT OF SUBDIVISION

Dewberry

SCALE 1"=50'
PROJ. NO. 50133475
FILE FINAL PLAT
SHEET 1-1

96

**CITY OF DAPHNE
PETITION FOR ACCEPTANCE
OF ROAD(S) AND/OR RIGHTS-OF-WAY**

SUBDIVISION NAME: FRENCH SETTLEMENT PHASE 4B

THIS PETITION FOR ACCEPTANCE OF ROADS AND/OR RIGHTS-OF-WAY is made this 19th day of April, 2023 by 68V FRENCH SETTLEMENT LLC., hereinafter called "the sub-divider," owner of certain property located in the City of Daphne, Alabama known as FRENCH SETTLEMENT PHASE 4B to be recorded in the office of the Judge of Probate of Baldwin County, Alabama; and,

WHEREAS, the sub-divider has agreed to the dedication of the roads and rights-of-way located in said subdivision to the City of Daphne, and further warrants that said roads and rights-of-way are complete and are in compliance with the minimum standards as outlined for construction in the City of Daphne Land Use and Development Ordinance, Article XVII, entitled Procedures for Subdivision Review, and Article XI, Minimum Requirements and Required Improvements for Subdivisions and Commercial Site Developments. The sub-divider further warrants that the same are free from defects from any cause and are free and clear of any liens and encumbrances; and,

WHEREAS, a bond is required by the City as a condition of the acceptance of any new roads or rights-of-way as outlined in Article XVII in an amount equal to twenty percent (20%) of all street and drainage improvements in the subdivision as a warranty for such improvements to last for a period of two (2) years after the date of dedication and upon acceptance by the City Council, the sub-divider has provided a \$ 116,421.17 maintenance bond; and,

WHEREAS, the project engineer, Jason N. Estes, PE, acting on behalf of the sub-divider does hereby certify that all roads and rights-of-ways are complete and are in compliance with the minimum standards for construction as outlined in the City of Daphne Land Use and Development Ordinance, Article XVII, entitled, Procedures for Subdivision Review, and Article XI, Minimum Requirements and Required Improvements for Subdivisions and Commercial Site Developments, and further warrants that the same are free from defects from any cause; and,

**CITY OF DAPHNE
PETITION FOR ACCEPTANCE
OF ROAD(S) AND/OR RIGHTS-OF-WAY**

NOW, THEREFORE, in consideration of the premises, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the sub-divider does hereby dedicate the roads and rights-of-way in said subdivision to the City of Daphne, a municipal corporation, as per the favorable recommendation of the City of Daphne Planning Commission voted upon at its meeting held on May 25, 2023. Said subdivision according the plat recorded in the Judge of Probate, Baldwin County, Alabama and said streets being named as follows:

Name of Right of Way	Length (linear feet) From Plat	Width (feet)
Rosedown lane	1277	50

Are each hereby dedicated to the City of Daphne, Alabama as a city street.

**CITY OF DAPHNE
PETITION FOR ACCEPTANCE
OF ROAD(S) AND/OR RIGHTS-OF-WAY**

IN WITNESS WHEREOF, the sub-divider has caused the execution of this dedication as of the date set forth above.

Respectfully submitted,

68V FRENCH SETTLEMENT LLC.
Name of Individual or Corporation (Printed)

By: NATHAN L COX
(Print Legibly and Sign)

Its: AUTHORIZED PERSON
(Print Legibly)

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

I, the undersigned Notary Public in and for said State and County, hereby certify that Nathan Cox whose name as Manager of 68V French Settlement Alabama corporation or as owner of _____ 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 as such officer or owner and with full authority, executed the same voluntarily on the day same bears date.

Given under my hand and official seal on this the 14th day of April, 2023.

SYDNEY MARIE HULETT
NOTARY PUBLIC, ALABAMA STATE AT LARGE
MY COMMISSION EXPIRES FEB. 18, 2026

Sydney Marie Hulett (NOTARY SEAL)
NOTARY PUBLIC
My commission expires: Feb 18 2026

SYDNEY MARIE HULETT
NOTARY PUBLIC, ALABAMA STATE AT LARGE
MY COMMISSION EXPIRES FEB. 18, 2026

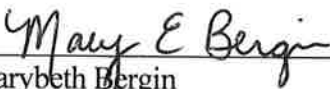
**CITY OF DAPHNE
PETITION FOR ACCEPTANCE
OF ROAD(S) AND/OR RIGHTS-OF-WAY**

Favorable recommendation on behalf of Daphne Public Works:



City Engineer
City of Daphne

Favorable recommendation on behalf of Daphne Planning Commission:



Marybeth Bergin
Planning Commission Chairman
City of Daphne

**CITY OF DAPHNE, ALABAMA
RESOLUTION 2023-33**

2023-O-CONCRETE PIPE-NEGOTIATED

WHEREAS, The City of Daphne is required under section 41-16-20 of the Code of Alabama to secure competitive bids for items in excess of \$15,000; and

WHEREAS, The City of Daphne acknowledges that the cost for the Concrete Pipe will exceed this amount; and

WHEREAS, No bids were received and therefore can be negotiated; and

WHEREAS, Staff has reviewed the negotiated bid for Concrete Pipe and determined that the bid as presented is reasonable; and

WHEREAS, Staff recommends the negotiated bid for Concrete Pipe be awarded to Alabama Pipe & Supply Co., Inc.

NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED, THAT THE CITY COUNCIL OF THE CITY OF DAPHNE, that the City hereby accept the negotiated bid of Alabama Pipe & Supply Co., Inc. for unit cost (delivered) as follows:

		<u>Price per linear foot</u>
<u>Description</u>		Alabama Pipe & Supply, Inc. - NEGOTIATED
12" T & G C-3		No Bid
15" T & G C-3		30.11
18" T & G C-3		36.73
21" T & G C-3		No Bid
24" T & G C-3		50.14
27" T & G C-3		No Bid
30" T & G C-3		73.89
36" T & G C-3		97.33
42" T & G C-3		130.50
48" T & G C-3		183.16
54" T & G C-3		240.00
60" T & G C-3		288.00
66" T & G C-3		No Bid
72" T & G C-3		384.48
84" T & G C-3		No Bid
96" T & G C-3		715.00

18" X 11" T & G C-3 ARCH		50.39
22" X 13" T & G C-3 ARCH		55.05
29" X 18" T & G C-3 ARCH		78.84
36" X 23" T & G C-3 ARCH		103.99
44" X 27" T & G C-3 ARCH		131.00
51" X 31" T & G C-3 ARCH		179.00
58" X 36" T & G C-3 ARCH		229.00
65" X 40" T & G C-3 ARCH		275.06
73" X 45" T & G C-3 ARCH		342.00
88" X 54" T & G C-3 ARCH		490.00
<u>OPTIONAL PURCHASES: The items listed below will be included in the awarded contract at the City's Discretion:</u>		
4' X 4'		No Bid
6' X 4'		No Bid
8' X 4'		No Bid
6' X 5'		No Bid
8' X 5'		No Bid
No Bid - Bidder did not bid on items		
S/O - Special Order		

as specified in BID SPECIFICATION NO. 2023-O-CONCRETE PIPE.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ day of _____, 2023.

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk

**CITY OF DAPHNE, ALABAMA
RESOLUTION 2023-34**

2023-P-TOPSOIL, SELECT BASE MATERIAL, AND SAND

WHEREAS, The City of Daphne is required under section 41-16-20 of the Code of Alabama to secure competitive bids for items in excess of \$15,000; and

WHEREAS, The City of Daphne acknowledges that the cost for the Topsoil, Select Base Material, and Sand will exceed this amount; and

WHEREAS, Staff has reviewed the bids for the Topsoil, Select Base Material, and Sand and determined that the bid as presented is reasonable; and

WHEREAS, Staff recommends the bid for the Topsoil, Select Base Material, and Sand be awarded to Fulcrum Construction Group, LLC.

NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED, THAT THE CITY COUNCIL OF THE CITY OF DAPHNE, that the City hereby accept the bid of Fulcrum Construction Group, LLC for unit cost as follows:

COMPONENT	UNIT PRICE/CY
Local Sand - Delivered	10.00
Local Sand – To be picked up	4.00
Sandy Clay - Delivered	9.80
Sandy Clay – To be picked up	3.80
Topsoil - Delivered	22.00
Topsoil – To be picked up	16.00

as specified in BID SPECIFICATION NO. 2023-P-TOPSOIL, SELECT BASE MATERIAL, AND SAND

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____day of _____, 2023.

Robin LeJeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2023-17**

**AMENDMENT TO ORDINANCE 2004-11 (BUSINESS LICENSE ORDINANCE)
(AS PREVIOUSLY AMENDED BY ORDINANCE 2023-04 (SHORT TERM RENTALS))**

WHEREAS, the City of Daphne, after due consideration, believes that certain revisions to the City of Daphne's Business License Ordinance, Ordinance 2004-11 (as previously amended on February 20, 2023, by Ordinance 2023-04), are necessary to adjust certain provisions relating to short-term residential rentals.

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

SECTION 1. ARTICLE XVI, SHORT TERM RENTALS

(A) Section 13-351(A) of Article XVI of the Business License Ordinance is hereby amended by inserting the following language as the final sentence thereof:

One business license is required per legal entity/person operating one or more short-term residential unit.

(B) Article XVI of the Business License Ordinance is hereby amended by repealing Section 13-363 in its entirety.

SECTION 2. CONFLICT WITH OTHER ORDINANCES

Any Ordinance heretofore adopted by the City Council of Daphne, Alabama, which is in conflict with this Ordinance, is hereby repealed to the extent of such conflict.

SECTION 3. SEVERABILITY

The provisions of this Ordinance are severable. 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 4. 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 _____, 2023.

ATTEST:

Robin Le Jeune, Mayor

Candace G. Antinarella, CMC, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2023-18**

**Ordinance to Pre-Zone Property Located Northwest of Well Road and County Road 13
Daphne Rangers Academy/Daphne Strike Soccer Club, Inc.**

WHEREAS, Daphne Rangers Academy/Daphne Strike Soccer Club, Inc., 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 RSF-2, Residential Single Family, Baldwin County District 15, in the extraterritorial planning jurisdiction of the City of Daphne, be pre-zoned as C-2, Outdoor Amusement, prior to annexation into the City of Daphne; and

WHEREAS, said real property is located Northwest of Well Road and County Road 13, being more particularly described as follows:

Legal Description for Property to be Pre-Zoned:

From the northwest corner or section 16, T-5-S, R-2-E, run these south 00° 05'12" east 1997 95 feet; thence run north 89° 59'11" east 1645 16 feet to the point of beginning, thence run north 00°01'48" east 446 91 feet, thence run north 89°49'35" east 1006 61 feet, thence run south 00°01'45" west 449 72 feet, thence run south 89°59'11" west 1005 16 feet to the point of beginning together with a 20 foot wide ingress and egress easement described as follows: beginning at the southwest corner of the above described parcel, run thence south 00°02'21" west along the east boundary of the utilities board of the city of Daphne parcel a distance of 625.97 feet to a capped rebar on the north right of way line of Well Rd, thence run south 89°62'48" west along said right of way. Line 20 00 feet to a point, thence run north 00°02'15" west 825 62 feet to a point of the south boundary of the above described parcel, thence run south 89°59'42" east along said boundary 20 00 feet to the point of beginning.

WHEREAS, at the regular Planning Commission meeting on March 23, 2023, the Commission considered said request and voted to set forth an unanimously favorable recommendation to the City Council to pre-zone the property C-2, Outdoor Amusement; 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 May 15, 2023; 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 C-2, Outdoor Amusement, 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 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 _____, 2023.**

Robin Le Jeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk



**COMMUNITY DEVELOPMENT
INTERNAL MEMORANDUM**

DATE: March 24, 2023
TO: Office of the City Clerk
FROM: Adrienne Jones, AICP, Director of Community Development *Ag*
SUBJECT: Daphne Rangers Academy/ Daphne Strike Soccer Club, Inc., Pre-Zoning Amendment

PRESENT ZONING: RSF-2, Residential Single Family, Baldwin County District 15, in the Extraterritorial Planning Jurisdiction of Daphne

PROPOSED PRE-ZONING: C-2, Outdoor Amusement

LOCATION: Northwest of Well Road and County Road 13

RECOMMENDATION: At the March 23, 2023 regular meeting of the City of Daphne Planning Commission, nine 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

**PRE-ZONING
DAPHNE RANGERS ACADEMY/DAPHNE
STRIKES SOCCER CLUB, INC.**



DAPHNE STRIKE CLUB/DAPHNE RANGERS ACADEMY, INC
Pre-zoning Amendment

Zoning Classification:

Baldwin County RSF-2, Residential Single Family (ETJ)

Surrounding Zonings/Uses:

- **North**— RSF-2/Undeveloped Timberland
- **South**—B-2, General Business (Daphne) Daphne Utilities
- **West**—RSF-2/Residential Estate
- **East** —R-1, Low Density Single Family Residential (Trione Park) (Daphne)

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

Affected City Service Providers: Fire Station 3 or 4, Police Beat 1

Staff Recommendation to PC: Favorable recommendation to City Council as a C-2, Outdoor Amusement District

Proposed Zoning:

C-2, Outdoor Amusement District

Development Concept:

Soccer Complex

Council District:

4

Existing Conditions:

10.34 ac

Planning Commission

Set forth a favorable recommendation to Council on 03/23/23

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.

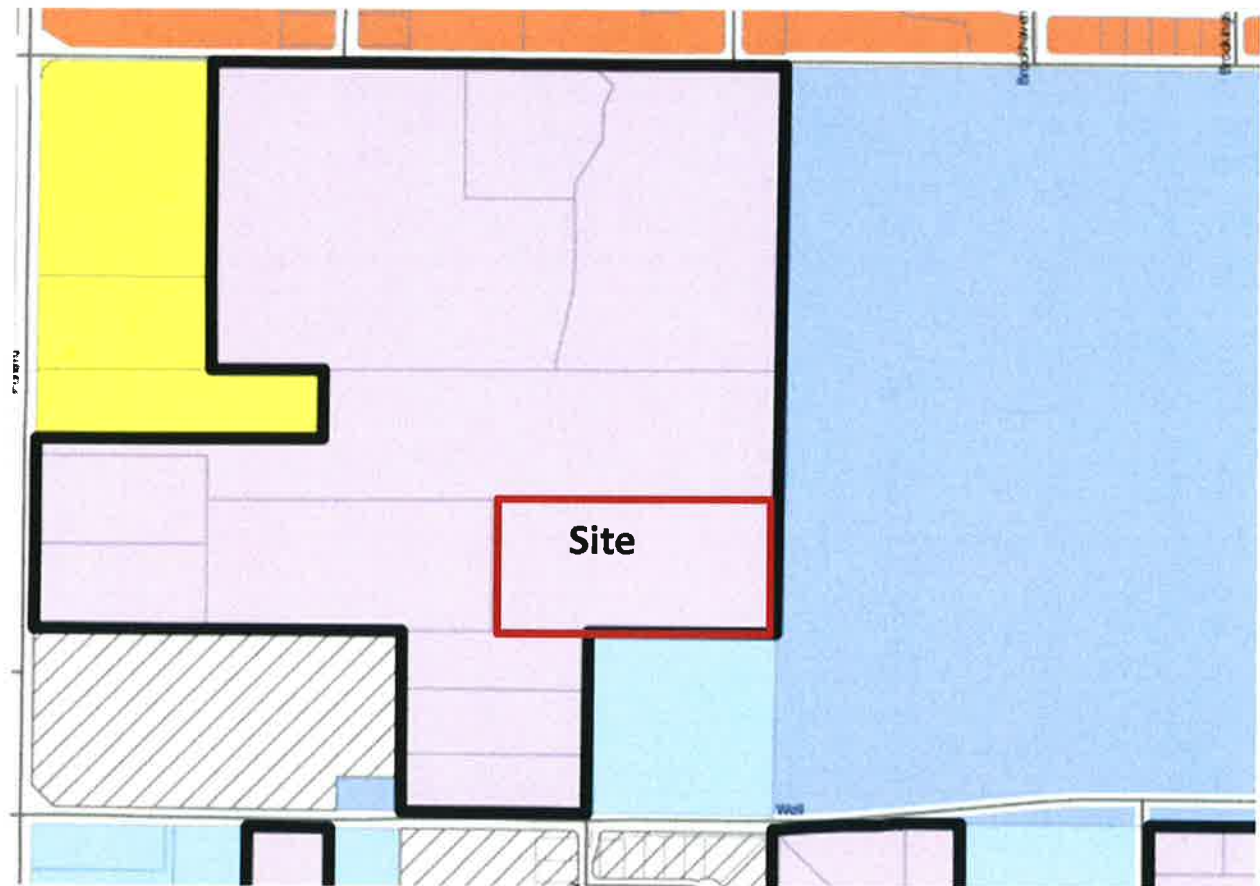
Goal: Provide a land use plan for the City of Daphne, which supports the City's economic development, housing, transportation, and open space, recreation and education goals in a manner that maintains and promotes Daphne's unique image and quality of life.

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:

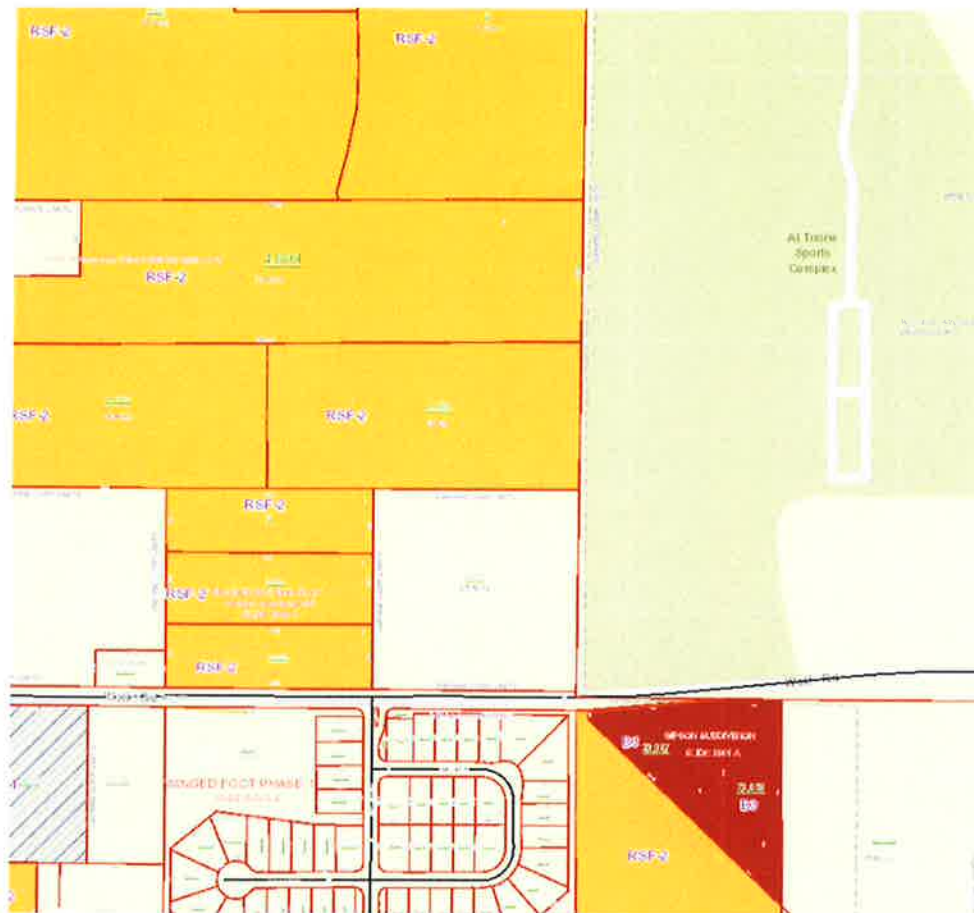
The applicant proposes to pre-zone the subject property to C-2, Outdoor Amusement District, in order to develop a soccer complex.

The proposed development is consistent with the Goals and Objectives noted in the Comprehensive Plan as stated above. Therefore, staff recommends the Planning Commission submit a favorable recommendation to City Council to pre-zone the site to C-2, Outdoor Amusement District and to annex the land into the corporate limits.



CITY ZONING MAP EXCERPT

- ET JURISDICTION
- Zoning as of 5/31/2022**
- 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
 - 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



Baldwin County Zoning Map Excerpt

County Zoning

- | | |
|---|---|
| Rural District (RR) | Residential Manufactured |
| Rural Agricultural District (RA) | Housing Park District (RMH) |
| Conservation Resource District (CR) | Base Community Zoning District (BCZ) |
| Residential Single Family Estate District (RSF-E) | Marine Recreation District (MR) |
| Residential Single Family District (RSF-1) | Outdoor Recreation District (OR) |
| Residential Single Family District (RSF-2) | Tourist Resort District (TR) |
| Residential Single Family District (RSF-3) | Recreational Vehicle Park District (RV-1) |
| Residential Single Family District (RSF-4) | Recreational Vehicle Park District (RV-2) |
| Residential Two Family District (RTF-4) | Professional Business District (B-1) |
| Residential Single Family District (RSF-6) | Neighborhood Business District (B-2) |
| Residential Two Family District (RTF-6) | General Business District (B-3) |
| Residential Multiple Family District (RMF-6) | Major Commercial District (B-4) |
| High Density Residential District (HDR) | Limited Business District (LB) |
| | Light Industrial District (M-1) |
| | General Industrial District (M-2) |
| | Moratorium District |



APPLICATION FOR REZONING OR PRE-ZONING

Office use only: Rev. 072816

Date Submitted Feb. 23, 23

Application Number:

Planning Commission Public

ZA - or PZA- 23-01

Hearing Date: March 23, 23

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):

8501 Well Rd

PPIN#(s):

285510

Gross Site Area (acreage):

10.34 acres

Requested Zoning or Pre-Zoning:

C2

Current Zoning Designation(s):

RSF2

Amended Request:

Initials: GF

Date:

1/4/23

Current Land Use:

Soccer training

Anticipated Land Use:

Soccer training + community area/ca

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:

Daphne Rangers Academy / Daphne Strike Soccer Club, Inc

Mailing Address:

PO Box 2684 Daphne, AL 36526

Phone/Fax:

E-mail:

Name of Authorized Agent:

Gerardo Flores

Mailing Address:

24614 Caleb Ct Daphne, AL 36526

Phone/Fax: 504-621-7642

E-mail: gfloressoccer@gmail.com

Name of Developer*:

Phone/Fax:

E-mail:

Other:

Gerardo Flores

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

1-4-23
4-22-22

Agent's Signature:

Date

Daphne Rangers Academy/Daphne Strike Soccer Club Pre-Zoning Amendment
8501 Well Rd
Daphne, AL 36526

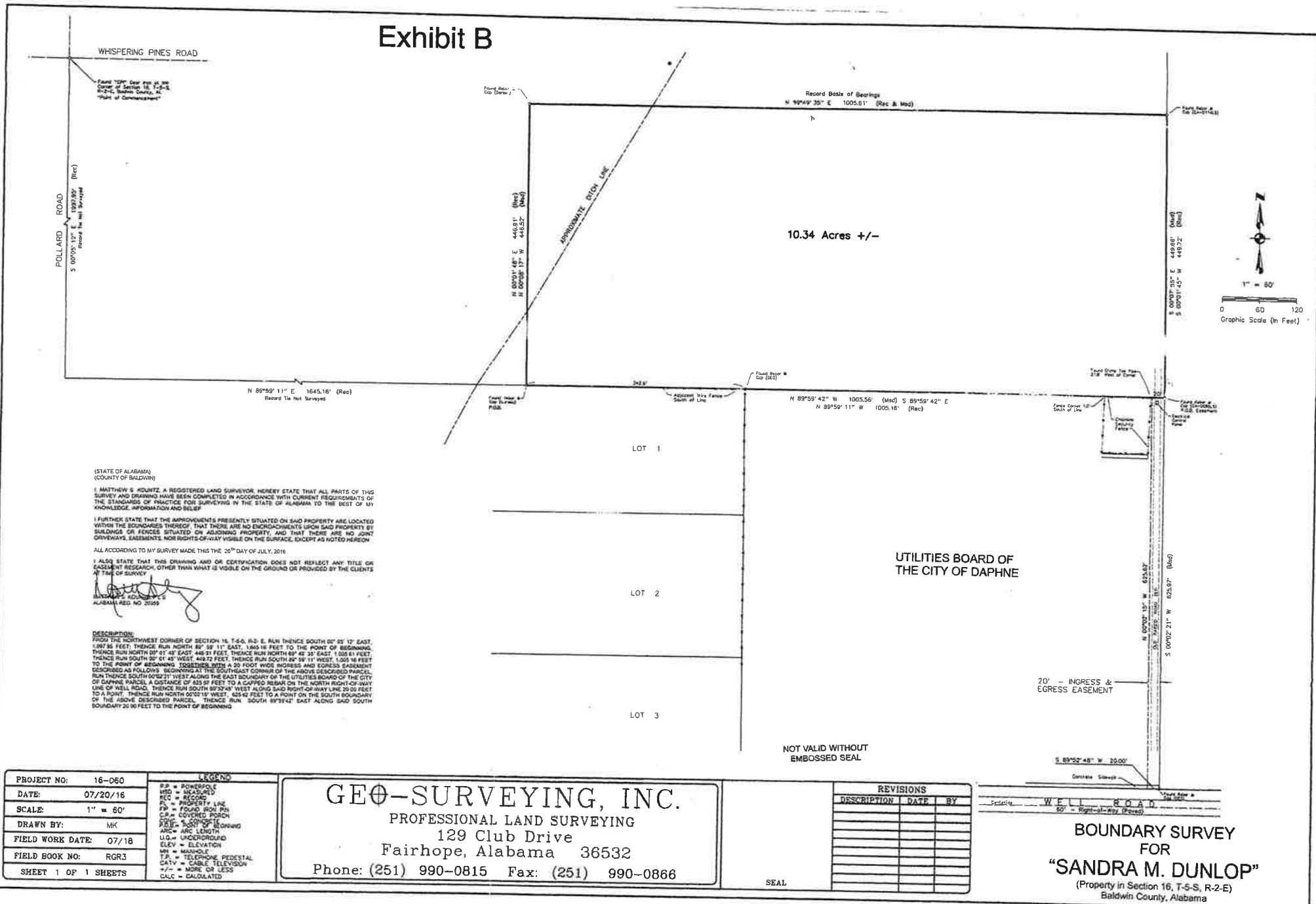
Exhibit "A"

State of Alabama
County of Baldwin

Description of Property to be pre-zoned from RSF-2 to C-2

From the northwest corner of section 16, T-5-S, R-2-E, run these south $00^{\circ} 05'12''$ east 1997 95 feet: thence run north $89^{\circ} 59'11''$ east 1645 16 feet to the point of beginning, thence run north $00^{\circ}01'48''$ east 446 91 feet, thence run north $89^{\circ}49'35''$ east 1006 61 feet, thence run south $00^{\circ}01'45''$ west 449 72 feet, thence run south $89^{\circ}59'11''$ west 1005 16 feet to the point of beginning together with a 20 foot wide ingress and egress easement described as follows: beginning at the southwest corner of the above described parcel, run thence south $00^{\circ}02'21''$ west along the east boundary of the utilities board of the city of Daphne parcel a distance of 625.97 feet to a capped rebar on the north right of way line of Well Rd, thence run south $89^{\circ}62'48''$ west along said right of way. Line 20 00 feet to a point, thence run north $00^{\circ}02'15''$ west 825 62 feet to a point of the south boundary of the above described parcel, thence run south $89^{\circ}59'42''$ east along said boundary 20 00 feet to the point of beginning.

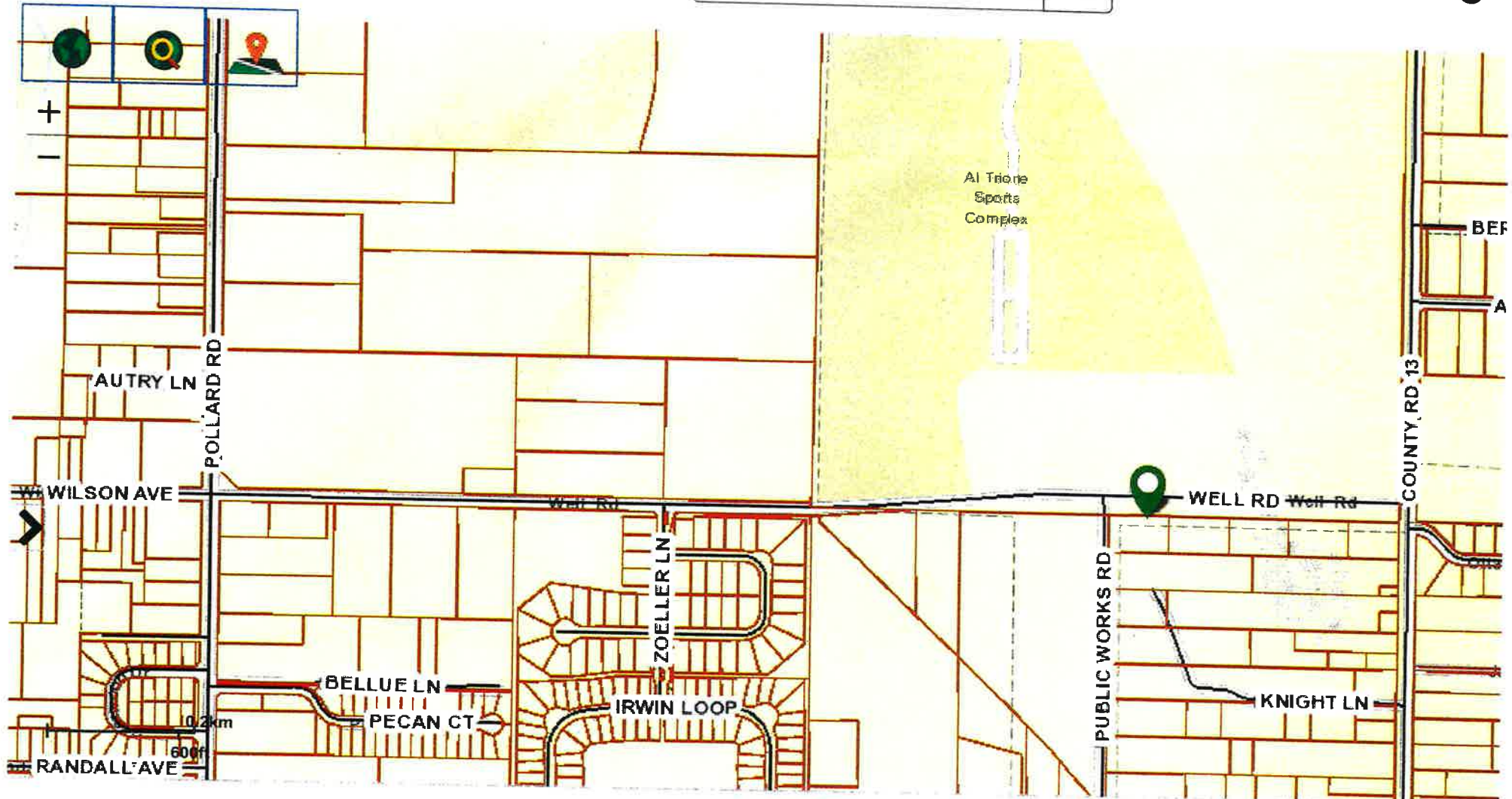
Exhibit B



[illegible]

Baldwin County Parcel Viewer

8501 Well Rd, Daphne, AL, 365 X





FRAMEWORX LLC
 15713A Daphne Rd
 Fairhope AL, 36532



SOCCER COMPLEX
 DAPHNE AL, 36526

SITE MAP

PLAN NAME:

SOCCER COMPLEX
 PLAN LAYOUT 1

DATE REVIS: JUNE 02 2001
 DATE OF SITE: JUNE 02 2001
 DRAWN BY: DARTNEY PROJECTIONS
 CHECKED BY: DARTNEY PROJECTIONS

SHEET No. A-1
 SHEET 1 OF 3

Daphne Rangers Academy/Daphne Strike Soccer Club Pre-Zoning Amendment

Adjacent Property Owners List

Milstead, Stephen and Wanda

26680 Pollard Rd
Daphne, AL 36526
Zoned RSF-2 PPIN 285507

Daphne Rangers Academy/Daphne Strike Soccer Club

8501 Well Rd
Daphne, AL 36526
Zoned RSF-2 PPIN 285510

Wilson, Justin and Morgan

8365-A Well Rd
Daphne, AL 36526
Zoned RSF-2 PPIN 40329

Utilities, Daphne Board of

PO Box 2550
Daphne, AL 36526
Zoned B-2 PPIN 265193

Milstead, Luther Gilbert

PO Box 249
Daphne, AL 36526
Zoned RSF-2 PPIN 285508

Baldwin County Board of Education

2600 Hand Ave
Bay Minette, AL 36507
Zoned R-1 PPIN 62111

COMMUNITY DEVELOPMENT



March 10, 2023

Dear Sir/Ma'am,

NOTICE OF PUBLIC HEARING

A petition for PRE-ZONING will be considered by the Daphne Planning Commission for Daphne Strike Soccer Club/Daphne Rangers Academy, Inc. containing 10.34 acres +/- located northwest of Well Road and County Road 13, zoned RSF-2, Single Family Residential, Baldwin County District 15, in the Extraterritorial Planning Jurisdiction, to be pre-zoned as C-2, Outdoor Amusement. 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 15, 2023 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 23, 2023 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

Daphne Strike Soccer Club/Daphne Rangers Academy, Inc. Pre-Zoning Amendment

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2023-19**

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

**Property Located Northwest of Well Road and County Road 13
Daphne Rangers Academy/Daphne Strike Soccer Club, Inc.**

WHEREAS, on the 26th day of January, 2023, Daphne Rangers Academy/Daphne Strike Soccer Club, Inc., 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 March 23, 2023, 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 May 15, 2023, 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 June 5, 2023, regularly scheduled City Council meeting, Ordinance 2023-_____ was adopted pre-zoning the said property as C-2, Outdoor Amusement, 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:

From the northwest corner of section 16, T-5-S, R-2-E, run these south 00° 05' 12" east 1997 95 feet; thence run north 89° 59' 11" east 1645 16 feet to the point of beginning, thence run north 00° 01' 48" east 446 91 feet, thence run north 89° 49' 35" east 1006 61 feet, thence run south 00° 01' 45" west 449 72 feet, thence run south 89° 59' 11" west 1005 16 feet to the point of beginning together with a 20 foot wide ingress and egress easement described as follows: beginning at the southwest corner of the above described parcel, run thence south 00° 02' 21" west along the east boundary of the utilities board of the city of Daphne parcel a distance of 625.97 feet to a capped rebar on the north right of way line of Well Rd, thence run south 89° 62' 48" west along said right of way. Line 20 00 feet to a point, thence run north 00° 02' 15" west 825 62 feet to a point of the south boundary of the above described parcel, thence run south 89° 59' 42" east along said boundary 20 00 feet to the point of beginning.

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 _____, 2023.

Robin Le Jeune, Mayor

ATTEST:

Candace G. Antinarella, CMC, City Clerk

**COMMUNITY DEVELOPMENT
INTERNAL MEMORANDUM**



DATE: March 24, 2022
TO: Office of the City Clerk
FROM: Adrienne Jones, AICP, Director of Community Development 
SUBJECT: Daphne Rangers Academy/ Daphne Strike Soccer Club, Inc., Annexation Petition

PRESENT ZONING: RSF-2, Residential Single Family, Baldwin County District 15, in the Extraterritorial Planning Jurisdiction of Daphne

LOCATION: Northwest of Well Road and County Road 13

RECOMMENDATION: At the March 23, 2023 regular meeting of the City of Daphne Planning Commission, nine 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.

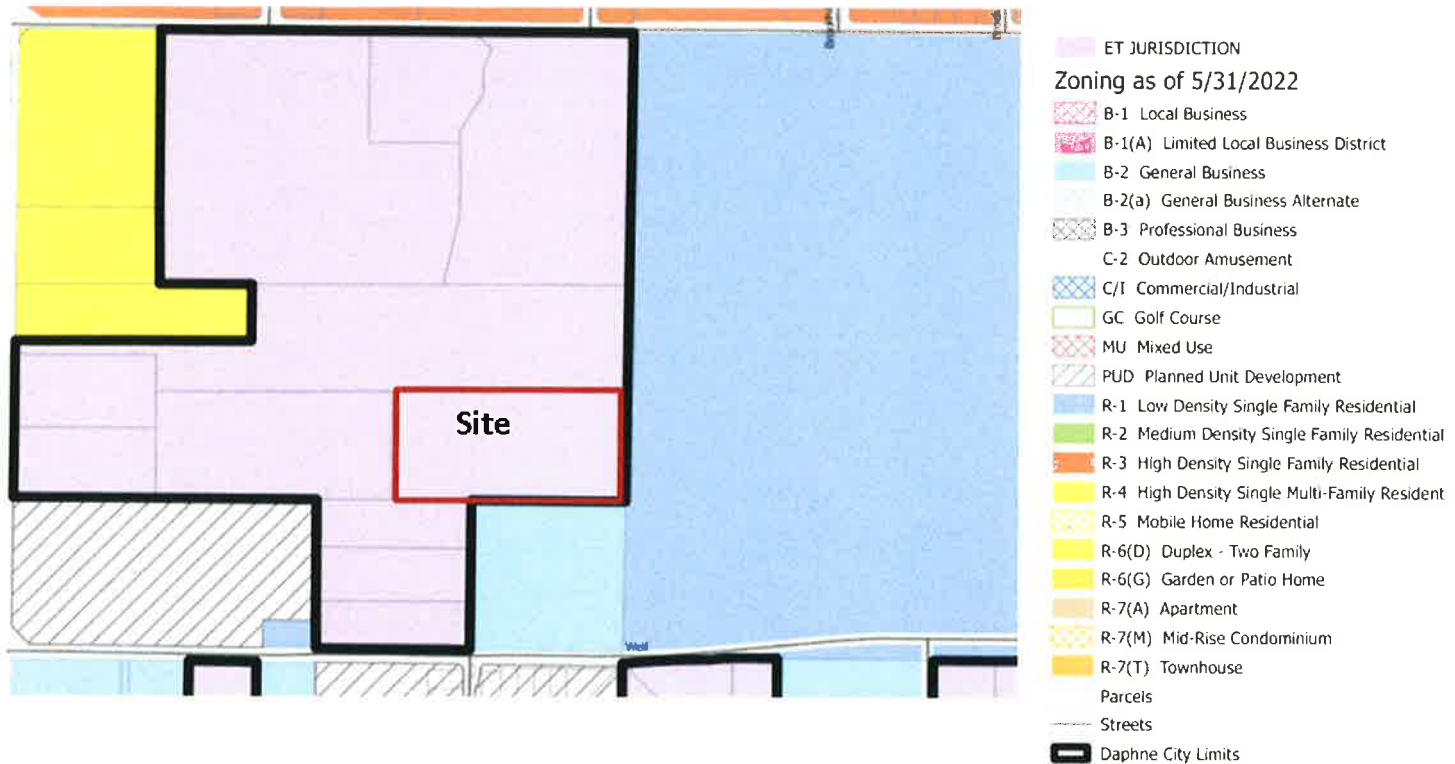
Upon receipt of said documentation, please prepare an ordinance for placement on the City Council agenda to set a public hearing.

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)

**ANNEXATION PETITION
DAPHNE RANGERS ACADEMY/DAPHNE
STRIKES SOCCER CLUB, INC.**

ANNEXATION REQUEST **Daphne Strike Soccer Club/Daphne Rangers Academy, Inc** North of Daphne Utility Central Office and West of Trione Park



REQUEST

The applicant proposes to annex the subject property into the corporate limits. The site meets the contiguity requirement because it is abuts land in the City of Daphne.

RECOMMENDATION

The Comprehensive Plan encourages expansion and annexation of land contiguous to the existing corporate limits. Staff and the Planning Commission recommend approval of the request to annex this land into the City of Daphne.

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.

DATED this 26 day of January, 2023

Respectfully submitted by,

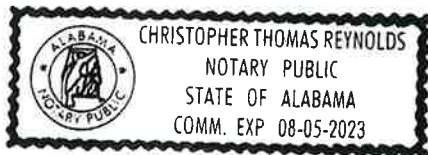
DAPHNE RANGERS ACADEMY / DAPHNE STRIKE
Name of Owner (Print) Soccer Cl

[Signature]
Name of Owner (Signature)

STATE OF ALABAMA
COUNTY OF BALDWIN

I, Christopher Thomas Reynolds, the undersigned Notary Public in and for said county and state, hereby certify that Gerardo E. Flores has 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 executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 26 day of January, 2023



[Signature]
NOTARY PUBLIC

My commission expires: 8-5-2023

Owner's Address

8501 WELL RD
36526, DAPHNE, AL

ADDITIONAL INFORMATION

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

Initials: _____

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: _____

We certify that the property is a single or multiple parcels under single or multiple ownership.

Initials: _____

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: G F

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

Initials: G F

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 1 day of MARCH, 2023.

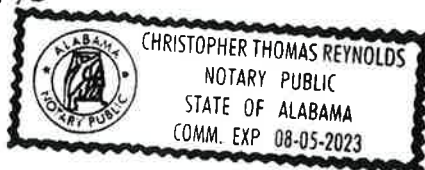
Legal Description Attached (Exhibit A)? yes Map or Survey Attached (Exhibit B)? yes
Recorded Subdivision Plat OR Preliminary/Final Subdivision plat approved by Planning Commission
Attached (Exhibit C)? yes Acreage 10.34
Subdivision Name D Lot Number(s) 0

Names and Signature of ALL property owners:

Signature: [Signature] Signature: _____

Printed Name: GERARDO FLORES Printed Name: _____

Mailing Address: PO BOX 2337 Mailing Address: _____
DAPHNE, AL



State of: Alabama
County of: Baldwin
Sworn and Subscribed before me this 1st day of Feb, 2023 by
Gerardo Flores
[Signature]
Notary Public
Commission Expiration 8-5-2023

Daphne Rangers Academy/Daphne Strike Soccer Club Pre-Zoning Amendment

8501 Well Rd
Daphne, AL 36526

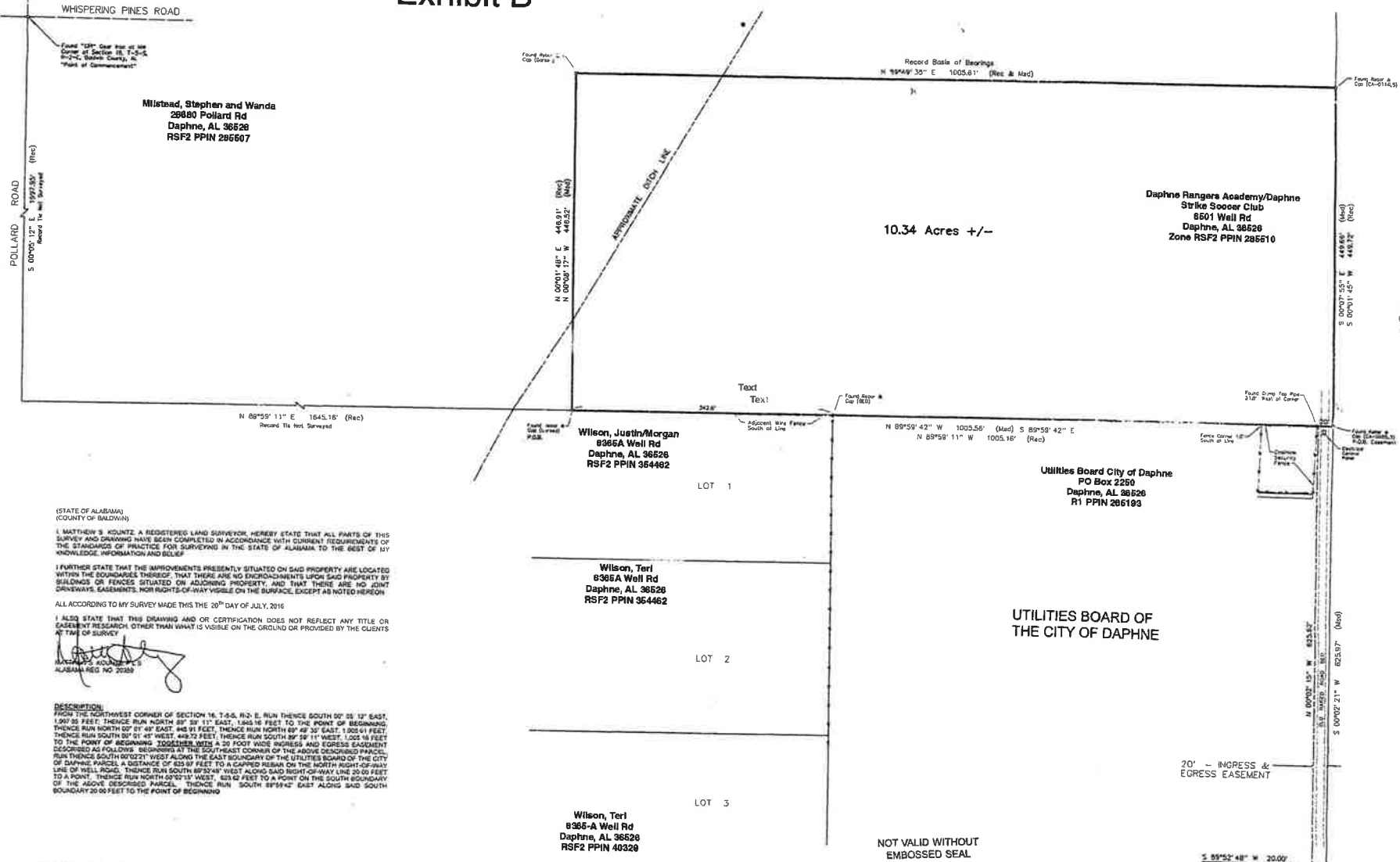
Exhibit "A"

**State of Alabama
County of Baldwin**

Description of Property to be annexed

From the northwest corner of section 16, T-5-S, R-2-E, run these south $00^{\circ} 05' 12''$ east 1997 95 feet: thence run north $89^{\circ} 59' 11''$ east 1645 16 feet to the point of beginning, thence run north $00^{\circ} 01' 48''$ east 446 91 feet, thence run north $89^{\circ} 49' 35''$ east 1006 61 feet, thence run south $00^{\circ} 01' 45''$ west 449 72 feet, thence run south $89^{\circ} 59' 11''$ west 1005 16 feet to the point of beginning together with a 20 foot wide ingress and egress easement described as follows: beginning at the southwest corner of the above described parcel, run thence south $00^{\circ} 02' 21''$ west along the east boundary of the utilities board of the city of Daphne parcel a distance of 625.97 feet to a capped rebar on the north right of way line of Well Rd, thence run south $89^{\circ} 62' 48''$ west along said right of way. Line 20 00 feet to a point, thence run north $00^{\circ} 02' 15''$ west 825 62 feet to a point of the south boundary of the above described parcel, thence run south $89^{\circ} 59' 42''$ east along said boundary 20 00 feet to the point of beginning.

Exhibit B



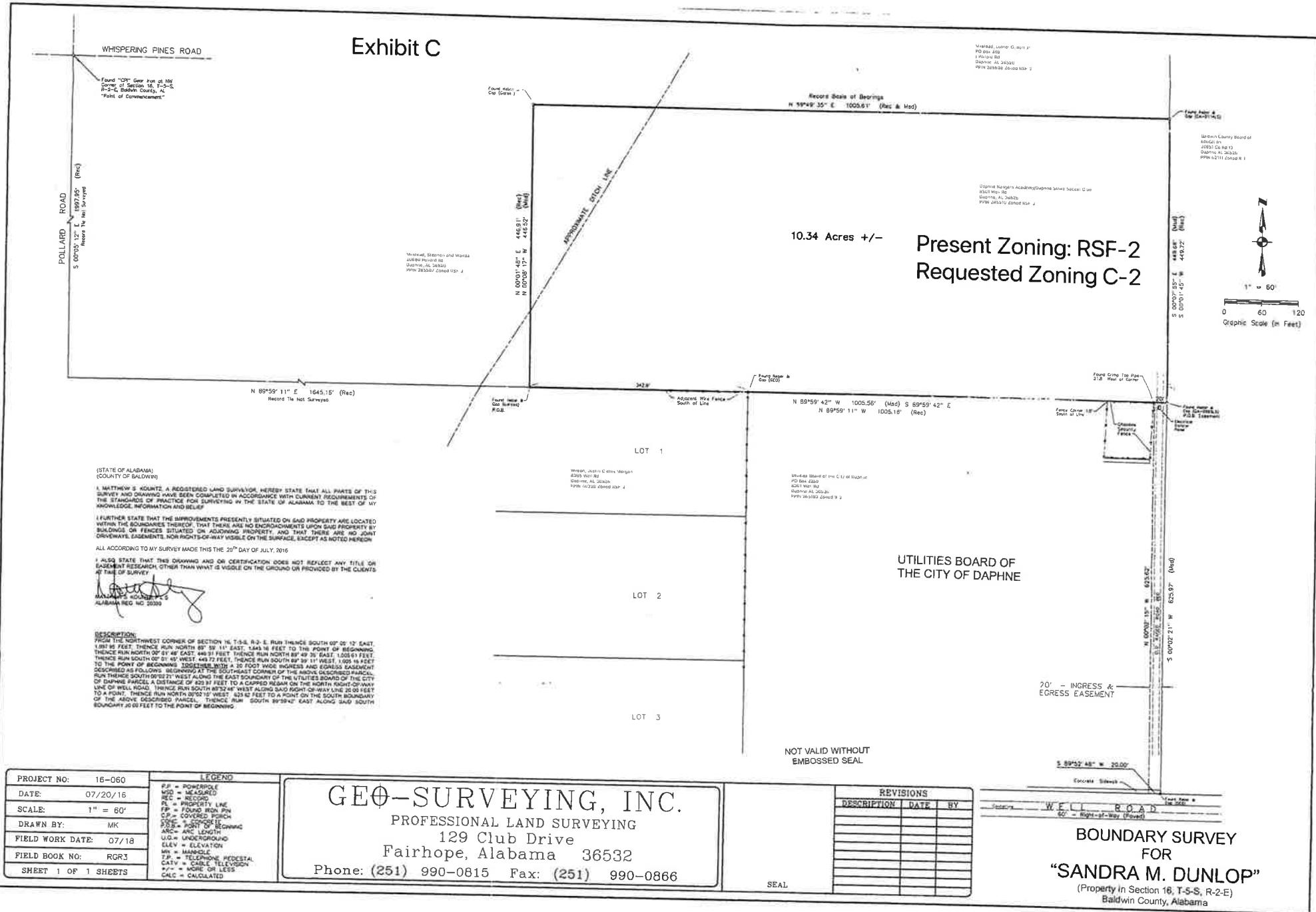
PROJECT NO:	16-060	LEGEND
DATE:	07/20/16	R.P. = POWERPOLE
SCALE:	1" = 60'	REC = RECESSED
DRAWN BY:	MK	PL = PROPERTY LINE
FIELD WORK DATE:	07/18	CP = CROWN PITCH
FIELD BOOK NO:	GR3	CM = COVERED PORCH
SHEET 1 OF 1 SHEETS		ADCR = POINT OF BEGINNING
		ADCR = ARC LENGTH
		UD = UNDERGROUND
		ELEV = ELEVATION
		MANH = MANHOLE
		TELEPHONE PEDESTAL
		= CABLE TELEVISION
		+/- = MORE OR LESS
		GA = GROUND

GEO-SURVEYING, INC.
PROFESSIONAL LAND SURVEYING
129 Club Drive
Fairhope, Alabama 36532
Phone: (251) 990-0815 Fax: (251) 990-0866

[illegible]

BOUNDARY SURVEY
FOR
"SANDRA M. DUNLOP"
(Property in Section 16, T-6-S, R-2-E)
Baldwin County, Alabama

Exhibit C





FRAMEWORX LLC
 15713A Daphne Rd.
 Fairhope AL, 36532



SOCCER COMPLEX
 DAPHNE AL, 36526

GITE MAP

PLAN NAME:

SOCCER COMPLEX
 PLAN LAYOUT I

DATE RMD:
 JUNE 02 2021
 DATE PLTNG:
 JUNE 02 2021
 DRAWN BY:
 BROTTNET
 PROJESTI

A-1
 SHEET 1 OF 3

Daphne Rangers Academy/Daphne Strike Soccer Club Pre-Zoning Amendment

8501 Well Rd
Daphne, AL 36526

Exhibit "A"

**State of Alabama
County of Baldwin**

Description of Property to be Annexed into the City of Daphne

From the Northwest corner of Section 16, Township 5 South, Range 2 East, run thence South 00 degrees 05 minutes 12 seconds East, 1,997.95 feet; thence run North 89 degrees 59 minutes 01 second East 1,645.16 feet to the POINT OF BEGINNING; thence run North 00 degrees 01 minutes 48 seconds East, 446.91 feet; thence run North 89 degrees 49 minutes 35 seconds East, 1,005.61 feet; thence run South 00 degrees 01 minutes 45 seconds West, 449.72 feet; thence run South 89 degrees 59 minutes 11 seconds West, 1,005.16 feet to the POINT OF BEGINNING.