CITY OF DAPHNE
1705 MAIN STREET, DAPHNE, AL
CITY COUNCIL BUSINESS MEETING AGENDA
Monday, November 18, 2024 at 5:30 P.M.

1. CALL TO ORDER

2. ROLL CALL
INVOCATION
PLEDGE OF ALLEGIANCE

3. MUNICIPAL JUDGE INTERVIEW – Candidate 1

4. PUBLIC HEARING: Fortuna Investments, LLC, Industrial Development Board and the City of Daphne Zoning Amendment located Southeast of Champions Way and Alabama Highway 181

5. APPROVE MINUTES: November 4, 2024 regular meeting

6. REPORTS OF STANDING COMMITTEES

A. FINANCE COMMITTEE – Phillips

B. BUILDINGS & PROPERTY COMMITTEE – Goodlin
Review the minutes from the September 9th meeting and the October 2024 new Construction and Building Reports.
Certificates of Occupancy: 17 Permits Issues: 213 New Residential Home Permits: 26
Total Fees: $143,569.06

C. PUBLIC SAFETY COMMITTEE – Hughes
Review the minutes from the September meeting.

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE – Scott
Review the minutes from the October meeting.

E. PUBLIC WORKS COMMITTEE – Conaway

7. 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

G. RECREATION BOARD – Hughes

H. UTILITY BOARD – Coleman
Review the minutes from the September 25th meeting.

8. PUBLIC PARTICIPATION

9. MAYOR'S REPORT

10. CITY ATTORNEY REPORT

11. DEPARTMENT HEAD REPORTS

12. CITY CLERK'S REPORT

13. RESOLUTIONS:

2024 – 51 – Resolution Authorizing the City to Enter into a Cooperative Maintenance Agreement with the Alabama Department of Transportation for the City's Maintenance of Certain Structures within the State's Right-of-Way

2024 – 52 – Resolution Supporting Eastern Shore Repertory Theatre's Grant Application for the Renovation of the Nicholson Center and Committing to the Nicholson Center's Use for Artistic and Creative Activities

14. 2nd READ ORDINANCES:

2024 – 36 – Ordinance to Amend the City's Military Leave Policy, Adopt an Accommodation Policy and Reorganize Chapter 1 of the City's Employee Handbook

15. 1st READ ORDINANCES:

2024 – 37 – Ordinance to Re-Zone Property Located Southeast of Champions Way and Alabama Highway 181

2024 – 38 – An Ordinance for Community Grants

16. MUNICIPAL JUDGE INTERVIEW – Candidate 2

17. EXECUTIVE SESSION

18. COUNCIL COMMENTS

19. ADJOURN

COMMUNITY DEVELOPMENT INTERNAL MEMORANDUM

DATE: September 30, 2024

TO: Office of the City Clerk

FROM: Adrienne Jones, AICP, Director of Community Development

SUBJECT: Fortuna Investments, LLC, Industrial Development Board and the City of Daphne Zoning Amendment

PRESENT ZONING: B-1, Local Business

PROPOSED PRE-ZONING: PUD, Planned Unit Development

LOCATION: Southeast of Champions Way and Alabama Highway 181

RECOMMENDATION: At the September 26, 2024 regular meeting of the City of Daphne Planning Commission, seven members were present, and the motion carried 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. Zoning Application
3. Legal Description (Exhibit A)
4. Boundary Survey (Exhibit B)
5. Adjacent Property Owners List
6. Citizen Comments

Fortuna Investments, LLC
Daphne IDB & City of Daphne
Rezoning Amendment Request

68V BALDWIN LAND HOLDINGS, LLC

Zoning Classification:
B-3, Professional Business

Surrounding Zonings/Uses:

- **North** - County RSF-1 and City R-4 Residential
- **South** - County RSF-1 and City B-2(A)/ Undeveloped
- **East** - B-3/Undeveloped
- **West** - Unzoned/Residential

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

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

Staff Recommendation to PC: Favorable recommendation to City Council

Proposed Zoning:
PUD, Planned Unit Development

Development Concept:
Single Family Residential

Council District:
7

Existing Conditions:
59.81 ac Undeveloped

Planning Commission

Favorable recommendation to City Council

PROPOSAL:

The applicant proposes to rezone the subject property to a mixed use planned unit development. Details are provided by the applicant.

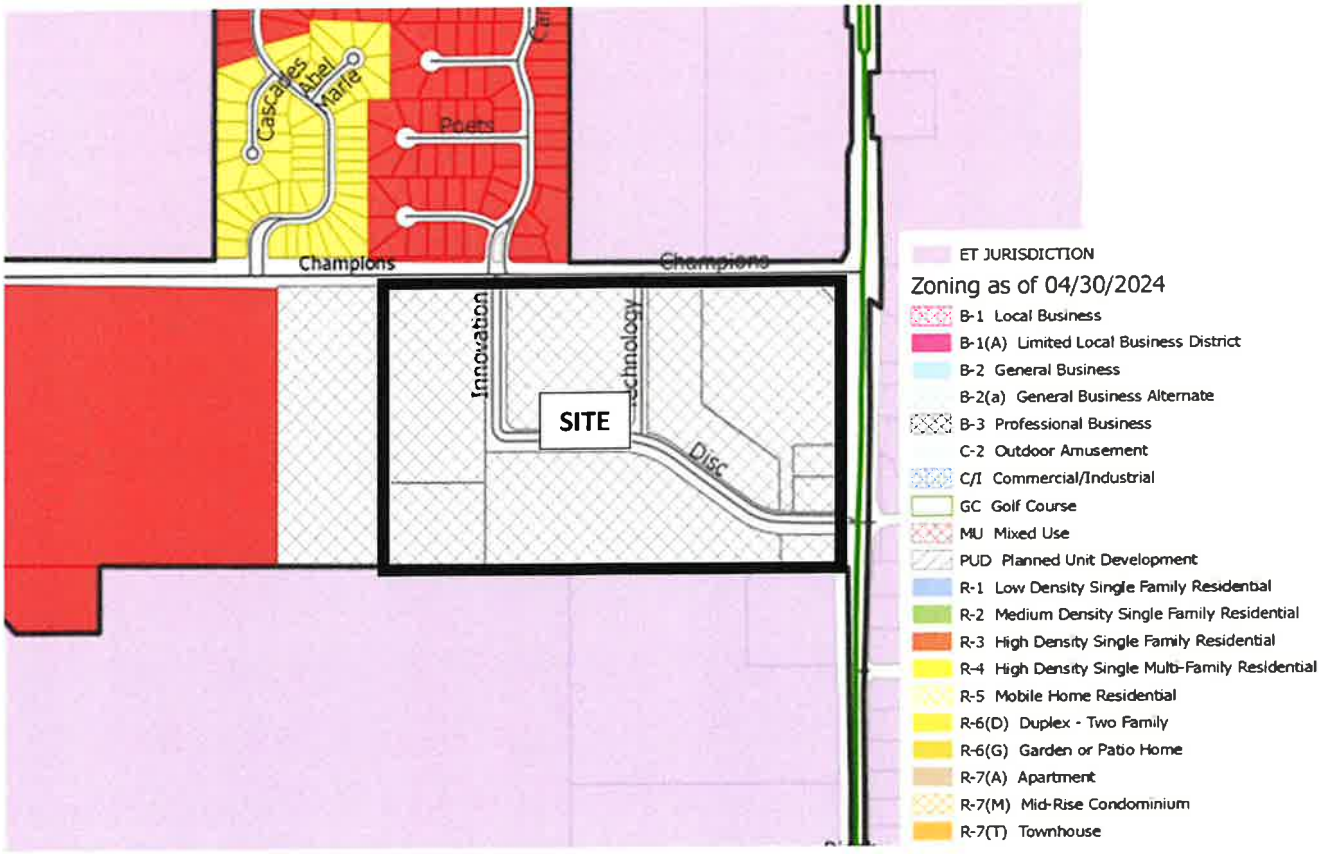
COMPREHENSIVE PLAN:

An amendment to the Envision Daphne 2042 Comprehensive Plan was adopted in August designating the full site as a Mixed-Use placetype. Therefore, the proposed zoning and future uses are consistent with the Comprehensive plan.

RECOMMENDATION:

Staff and the Planning Commission recommends setting forth a favorable recommendation to City Council.

Excerpt from Daphne Zoning Map



CITY OF DAPHNE, ALABAMA PLANNING COMMISSION
RESOLUTION# 2024-03

A RESOLUTION AMENDING THE ENVISION 2042 COMPREHENSIVE PLAN

WHEREAS, on March 28, 2024, following a public hearing, the City of Daphne Planning Commission approved Resolution No. 2024-01, adopting the Envision Daphne 2042 Comprehensive Plan (the "Comprehensive Plan"), including without limitation each of the maps and descriptive matters contained therein, as presented to the Planning Commission at its regular meeting of March 28, 2024; and

WHEREAS, pursuant to page 4 of the Comprehensive Plan, "the planning commission is empowered to adopt the plan in parts or in whole, and amend it at will"; and

WHEREAS, the Planning Commission has determined that certain amendments to the Comprehensive Plan, as set forth in **Exhibit A** hereto, are necessary to achieve the City of Daphne's overall vision as set forth in the Comprehensive Plan; and

WHEREAS, on August 22, 2024, the Planning Commission held a public hearing on the proposed amendment to the Comprehensive Plan as agenda item CPA24-03; and

WHEREAS, pursuant to Ala. Code § 11-52-10, any amendment to the Comprehensive Plan "shall be by resolution of the commission carried by the affirmative votes of not less than six members of the commission."

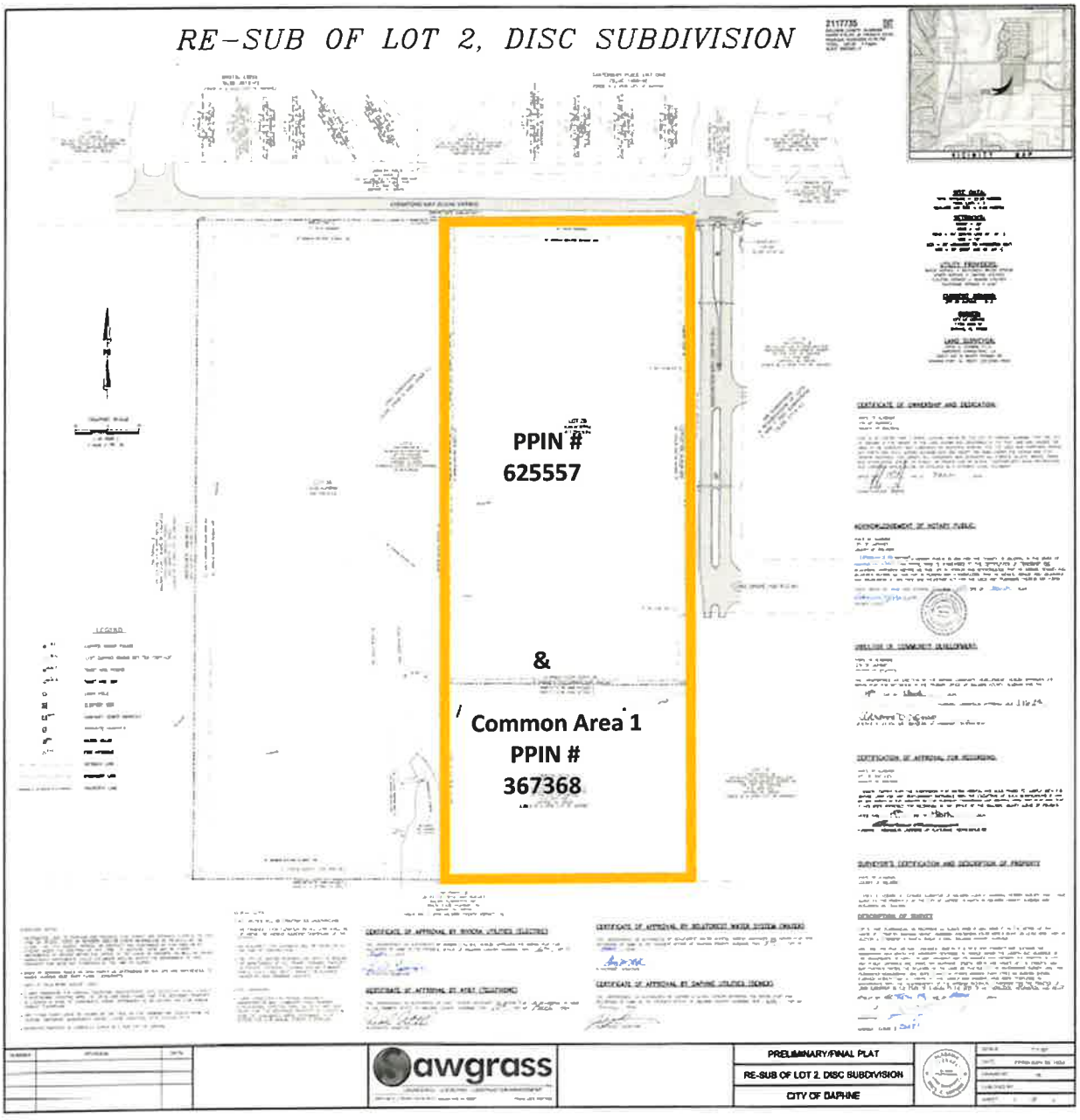
NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Daphne hereby amends the Envision Daphne 2042 Comprehensive Plan, including without limitation each of the maps and descriptive matters contained therein, as presented to the Planning Commission at its regular meeting of March 28, 2024, and as previously amended, as set forth in **Exhibit A** hereto.

ADOPTED this 22nd day of August, 2024, by the City of Daphne Planning Commission.

Andrew Prescott, Chairperson

Kevin Spriggs, Secretary

EXHIBIT A



Planning Commission Resolution# 2024-03

Adjacent Pr rty Owner List

No	Parcel Number	Pin	Owner Name	Address	City	State	Zip
1	05-43-02-03-0-000-002.039	119064	ALLEN, KIM F N/K/A LAUBENTHAL, KIM	9650 CANTERBURY CT	DAPHNE	AL	36526
2	05-43-02-03-0-000-003.006	367367	BALDWIN COUNTY BOARD OF EDUCATION	2600 A HAND AVE	BAY MINETTE	AL	36507
3	05-43-01-02-0-000-002.002	254459	BAY AREA HOLDINGS L L C	3967 PINEBROOK DR S	MOBILE	AL	36608
	05-43-01-02-0-000-002.003	254460					
4	05-43-01-02-0-000-001.000	44188	BLAKESLEE WALDWICK INC	PO BOX 1234	MOBILE	AL	36633
5	05-43-02-03-0-000-002.041	119066	CANTERBURY PLACE HOMEOWNERS ASSOCIATION AND INC	P O BOX 748	DAPHNE	AL	36526
	05-43-02-03-0-000-002.040	119065					
	05-43-02-03-0-000-002.043	119067					
	05-43-02-03-0-000-002.046	119070					
6	05-43-02-03-0-000-001.000	8120	COMETTI FAMILY PROPERTIES L L C	P O BOX 156	GRANT	AL	35747
7	05-43-02-03-0-000-003.009	625557	DAPHNE CITY OF	1705 MAIN ST	DAPHNE	AL	36526
8	05-43-01-02-0-000-002.001	254458	FONTENOT PROPERTIES L L C	28396 STATE HIGHWAY 181	DAPHNE	AL	36526
9	05-43-02-03-0-000-003.000	62439	FORTUNA INVESTMENTS L L C	707 BELROSE AVE	DAPHNE	AL	36526
10	05-43-02-03-0-000-003.002	367363	INDUSTRIAL DEVELOPMENT BOARD OF THE CITY AND OF DAPHNE	P O BOX 400	DAPHNE	AL	36526
	05-43-02-03-0-000-003.005	367366					
	05-43-02-03-0-000-003.008	385613					
	05-43-02-03-0-000-003.004	367365					
	05-43-02-03-0-000-003.001	367362					
	05-43-02-03-0-000-003.007	367368					
	05-43-02-03-0-000-003.003	367364					
11	05-43-01-02-0-000-006.001	34201	JOHNSON, JOSHUA E ETAL JOHNSON, JESSICA AND LYNN	28230 STATE HIGHWAY 181	DAPHNE	AL	36526
12	05-43-02-03-0-000-002.038	119063	LEDBETTER, SAMUEL WALKER III ETAL LEDBET AND TER, JERRIE PATCHEN	9630 CANTERBURY CT	DAPHNE	AL	36526
13	05-43-02-03-0-000-002.224	362662	MALBIS PLANTATION INC	29470 ST HWY 181	DAPHNE	AL	36526
	05-43-02-03-0-000-002.225	362663					
	05-43-02-03-0-000-002.087	170060					
14	05-43-02-03-0-000-002.035	119060	MCCOLLUM, ERNEST R ETAL MCCOLLUM, CHRIST AND INE O	9576 CANTERBURY CT	DAPHNE	AL	36526
15	05-43-02-03-0-000-001.001	80835	ROLISON, KEN ETAL ROLISON, JENNIFER C	28601 ST HWY 181	DAPHNE	AL	36526
16	05-43-01-02-0-000-002.000	2969	SAUCIER PROPERTIES L L C	24071 2ND ST	FAIRHOPE	AL	36532

Adjacent Pr rty Owner List

17	05-43-02-03-0-000-002.044	119068	SAWYER, JAMES ETAL SAWYER, JODI	28510 CANTERBURY RD	DAPHNE	AL	36526
18	05-43-01-02-0-000-003.009	263557	SCALLY, KAREN ETAL PENNANEN, CYNTHIA	10055 ROSEWOOD LN	DAPHNE	AL	36526
19	05-43-02-03-0-000-002.036	119061	TONDER, BRADFORD C ETAL TONDER, JENNIFER AND ANN	374 RIDGEWOOD CIR	FAIRHOPE	AL	36532
20	05-43-02-03-0-000-002.037	119062	VAN RENSSELAER, MATTHEW L ETAL COULTER, AND ELIZABETH A	9612 CANTERBURY CT	DAPHNE	AL	36526
21	05-43-01-02-0-000-003.005	207870	WOODLANDS AT MALBIS PROPERTY OWNERS ASSO AND CIATION, INC	10311 ROSEWOOD LN	DAPHNE	AL	36526
	05-43-01-02-0-000-003.048	263596					
	05-43-01-02-0-000-003.008	263556					
22	Engineer		JADE Consulting, LLC	208 N. Greeno Rd., Ste. C	FAIRHOPE	AL	36532

Daphne
ALABAMA

August 9, 2024

Dear Sir/Ma'am,

NOTICE OF PUBLIC HEARING

A petition for REZONING will be considered by the Daphne Planning Commission for Fortuna Investments, LLC, Industrial Development Board and the City of Daphne containing 59.81acres +/- located southwest of Alabama Highway 181 and Champions Way, zoned B-1, Local Business, to be rezoned 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, August 14, 2024 at 8:30 a.m. in the Council Chambers of City Hall. The public is invited to attend: limited participation may be allowed by the chairman.

The public hearing will be held by the Daphne Planning Commission on Thursday, August 22, 2024 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

Fortuna Investments, LLC, Industrial Development Board and the City of Daphne Zoning Amendment

APPLICATION
&
SUPPLEMENTAL INFORMATION

APPLICATION FOR REZONING OR PRE-ZONING

Office use only: Rev 072816	Date Submitted July 19, 2024
Application Number: ZA24-03 or PZA-	Planning Commission Public Hearing Date: August 22, 2024

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): Disc Dr. & Champion Way, Daphne	PPIN#(s): 62439, 367362, 367363, 367364, 367365, 367366, 367368, 385613, 625557
Gross Site Area (acreage): 59.81	Requested Zoning or Pre-Zoning: PUD
Current Zoning Designation(s): B-3	Amended Request: Initials: Date:
Current Land Use: Vacant	Anticipated Land Use: Commercial & Multi-family

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

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: Fortuna Investments, LLC, IDB & City of Daphne	
Mailing Address: 707 Belrose Ave., Daphne, AL 36526	**Phone/Fax:** **E-mail:**
Name of Authorized Agent: JADE Consulting, LLC	**Phone/Fax:** 251-928-3443 **E-mail:** sruth@jadengineers.com
Mailing Address: 208 N. Greeno Rd., Ste. C, Fairhope, AL 36532	
Name of Developer*: 68V Pay Dirt Commercial LLC	**Phone/Fax:** 251-625-1198 **E-mail:** ddolan@68ventures.com
Other: Cameron Thatcher	**Phone/Fax:** cthatcher@68ventures.com 919-616-8301 **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 7/16/2024
Agent's Signature:	Date

Exhibit A Legal

LEGAL DESCRIPTION

TRACT 1:

STATE OF ALABAMA
COUNTY OF BALDWIN

LOT 2B OF RE-SUBDIVISION OF LOT 2, DISC SUBDIVISION, AS PER PLAT THEREOF RECORDED ON SLIDE NO. 2943-E OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA.

TRACT 2:

STATE OF ALABAMA
COUNTY OF BALDWIN

LOTS 3, 5, 6 AND COMMON AREA 1 OF OF DISC SUBDIVISION, AS PER PLAT THEREOF RECORDED ON SLIDE NO. 2568-E AND 2568-F, OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA.

AND

LOTS 1A, 1B AND 7 OF IDB SUBDIVISION, A RESUBDIVISION OF LOTS 1 AND 7 OF DISC SUBDIVISION, AS PER PLAT THEREOF RECORDED ON SLIDE NO. 2714-A OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA.

LEGAL DESCRIPTION

STATE OF ALABAMA
COUNTY OF BALDWIN

LOT 4 OF DISC SUBDIVISION, AS PER PLAT THEREOF RECORDED ON SLIDE NO. 2568-E AND 2568-F, IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA.

Exhibit B Survey

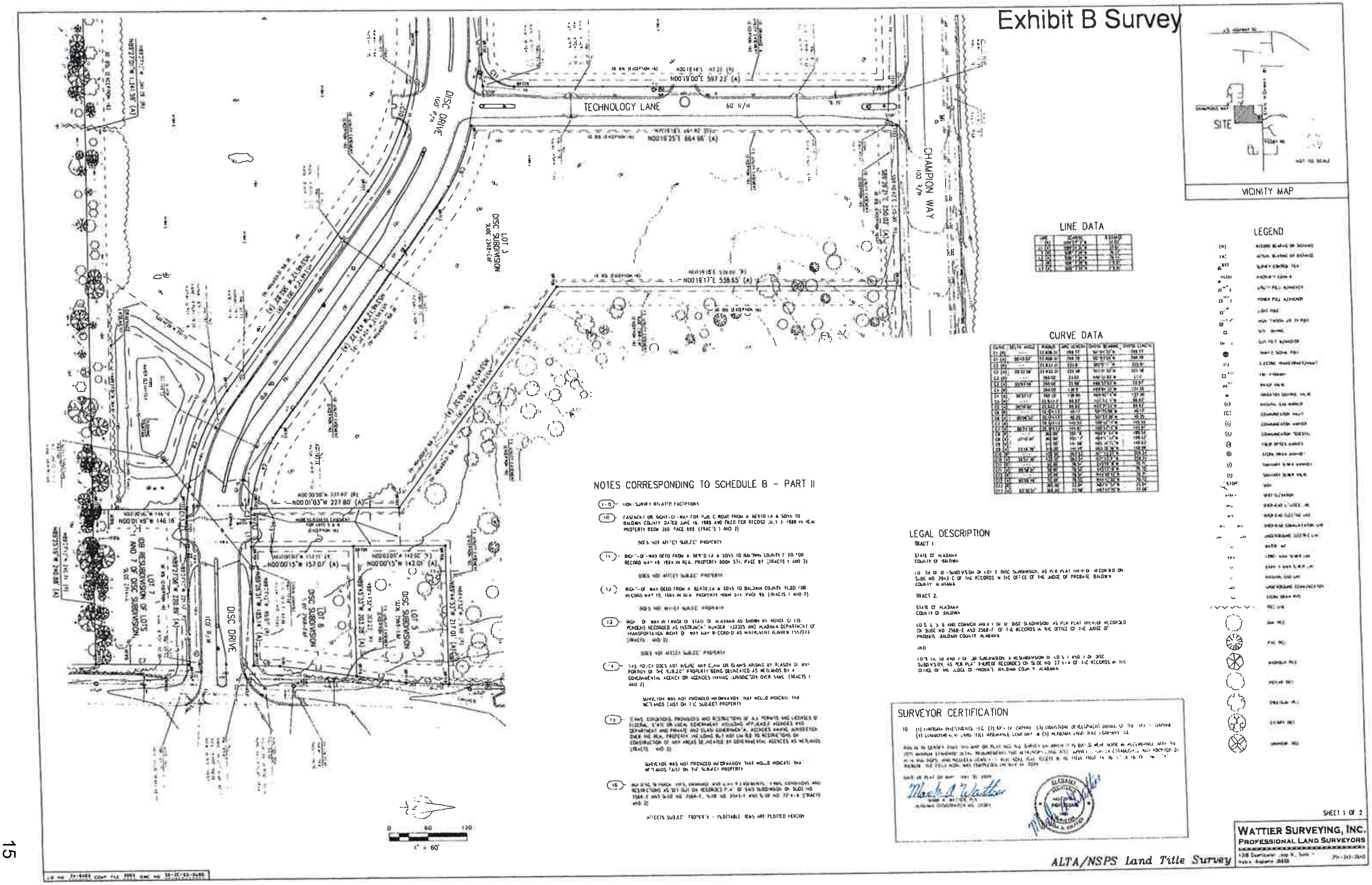
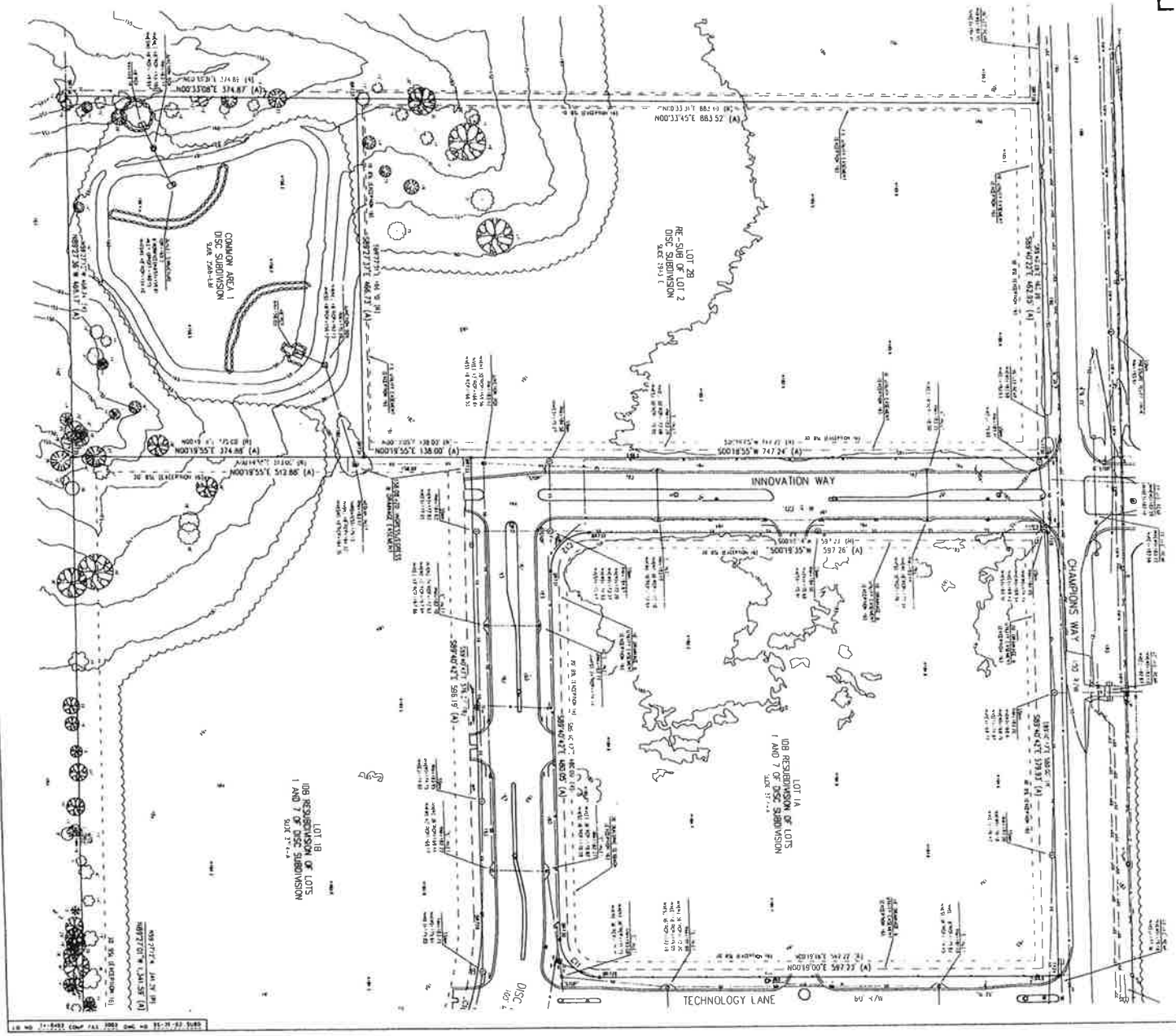


Exhibit B Survey



NOTES

THIS SURVEY DOES NOT REFLECT ANY TITLE OR EASEMENT RESEARCH BY THIS SURVEYOR. THIS ALTA/NSPS LAND TITLE SURVEY HAS BEEN PREPARED UTILIZING THE ALTA COMMITMENT FOR TITLE INSURANCE BY CORNERSTONE LAND TITLE INSURANCE COMPANY, COMMITMENT NUMBER IN-1120063, EFFECTIVE DATE MAY 13, 2021 AT 08:00 AM

2. THE PROPERTY DESCRIBED HEREON IS SHOWN ON THE FEMA FLOOD INSURANCE RATE MAP NO 01003C0336 M, DATED 04/19/2019 AND IS SHOWN TO BE IN FLOOD ZONE "X-UNSHADED"

3. GROSS LAND AREA

TRACT 1	LOT 2B	11,102,191 SF	9.1384 ACRES
TRACT 2	LOT 1A	374,3741 SF	8.5934 ACRES
	LOT 1B	558,981 ± SF	2.8554 ACRES
	LOT 3	374,1484 SF	8.310 ± ACRES
	LOT 5	30,781 ± SF	0.69 ± ACRES
	LOT 6	20,118 ± SF	0.4961 ACRES
	LOT 7	35,204 ± SF	0.8084 ACRES
	COMMON AREA 1	175,525 ± SF	4.0281 ACRES
TOTAL		±882,784 SF	±20.261 ACRES

4. CURRENT ZONING CLASSIFICATION: CITY OF DAPHNE B-3 PROFESSIONAL BUSINESS
SETBACK REQUIREMENTS:
FRONT: CHAMPIONS WAY - 30 FEET
STATE HIGHWAY 181 - 100 FEET FROM CENTER LINE
SIDE: 0 FEET
SIDE STREET (STATE HIGHWAY 181): 30 FEET
REAR: 0 FEET

5. TAX PARCEL NUMBER

TRACT 1	05-43-02-03-0-000-003.000, 43.4 AC, 673554
TRACT 2	05-43-02-03-0-000-003.004, 42.4 AC, 367365
	05-43-02-03-0-000-003.001, 41.1 AC, 367367
	05-43-02-03-0-000-003.002, 42.4 AC, 367383
	05-43-02-03-0-000-003.003, 42.4 AC, 367368
	05-43-02-03-0-000-003.006, 42.4 AC, 383613
	05-43-02-03-0-000-003.005, 42.4 AC, 367366
	05-43-02-03-0-000-003.007, 42.4 AC, 368584

6. ELEVATIONS SHOWN HEREON ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88) AND WERE ESTABLISHED ON-SITE VIA STATIC GPS OBSERVATIONS PROCESSED VIA OPUS. THE CONTOUR LINES SHOWN HEREON WERE PRODUCED UTILIZING AERIAL LIDAR TECHNOLOGY ALONG WITH CONVENTIONAL GROUND SURVEYING TECHNOLOGY

7. THERE IS NO OBSERVABLE EVIDENCE OF CEMETERIES WITHIN THE SURVEYED PROPERTY

8. NO SUBSTANTIAL VISIBLE IMPROVEMENTS ON THE INTERIOR PARCELS ARE SHOWN HEREON

9. ABOVE GROUND UTILITIES SHOWN HEREON AND SHOWN BASED UPON THE OBSERVABLE AND DISCERNIBLE VISIBLE FEATURES

10. UNDERGROUND UTILITIES SHOWN HEREON WERE ESTABLISHED BY FIELD MEASUREMENTS OF MARKINGS PLACED ON THE GROUND BY VARIOUS UTILITY COMPANIES AS SHOWN TO BE LOCATE TICKETS NUMBERED 214200353, 214200869, 214200903, 214200868 & 214200867 OR AS SHOWN ON AT&T-BLT DRAWINGS PROVIDED BY UTILITY COMPANIES

11. THE SURVEYOR IS NOT AWARE OF ANY PLANS BY CONTROLLING AGENCIES TO CHANGE EXISTING STREET RIGHT-OF-WAYS OF ALABAMA HIGHWAY 181, CHAMPIONS WAY, INNOVATION WAY, TECHNOLOGY LANE OR TSC DRIVE. THERE IS NO VISIBLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS

12. THERE IS NO OBSERVABLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL

13. DISTANCES SHOWN HEREON ARE STATE PLANE COORDINATE GRID DISTANCES UNDER GRID DISTANCE BY SCALE FACTOR OF 0.9998151 TO DETERMINE GROUND DISTANCE

14. BEARINGS SHOWN HEREON ARE STATE PLANE COORDINATE GRID BEARINGS, CONVERGENCE ANGLE FROM GRID NORTH TO TRUE NORTH IS -00°10'48" AT N 30°41'45.10", (-0.1053745 RAD)

15. THERE ARE NO DIVISION OR PARTY WALLS WITH RESPECT TO ADJOINING PROPERTIES

16. THERE IS NO OBSERVABLE EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS

17. NO WETLANDS DELINEATION WERE WITHIN THE BOUNDARIES OF THE SURVEYED PROPERTY AT THIS TIME AS SHOWN HEREON

18. NO ADJOINING VISIBLE ABOVE-GROUND STRUCTURES ENCROACH ON THE SURVEYED PROPERTY OR ANY KNOWN EASEMENT EXCEPT AS SHOWN HEREON AND NO KNOWN BY STATEMENT OR APPARENT ENCROACHMENTS SHOWN HEREON

PROPERTY CORNER & CONTROL POINT DATA

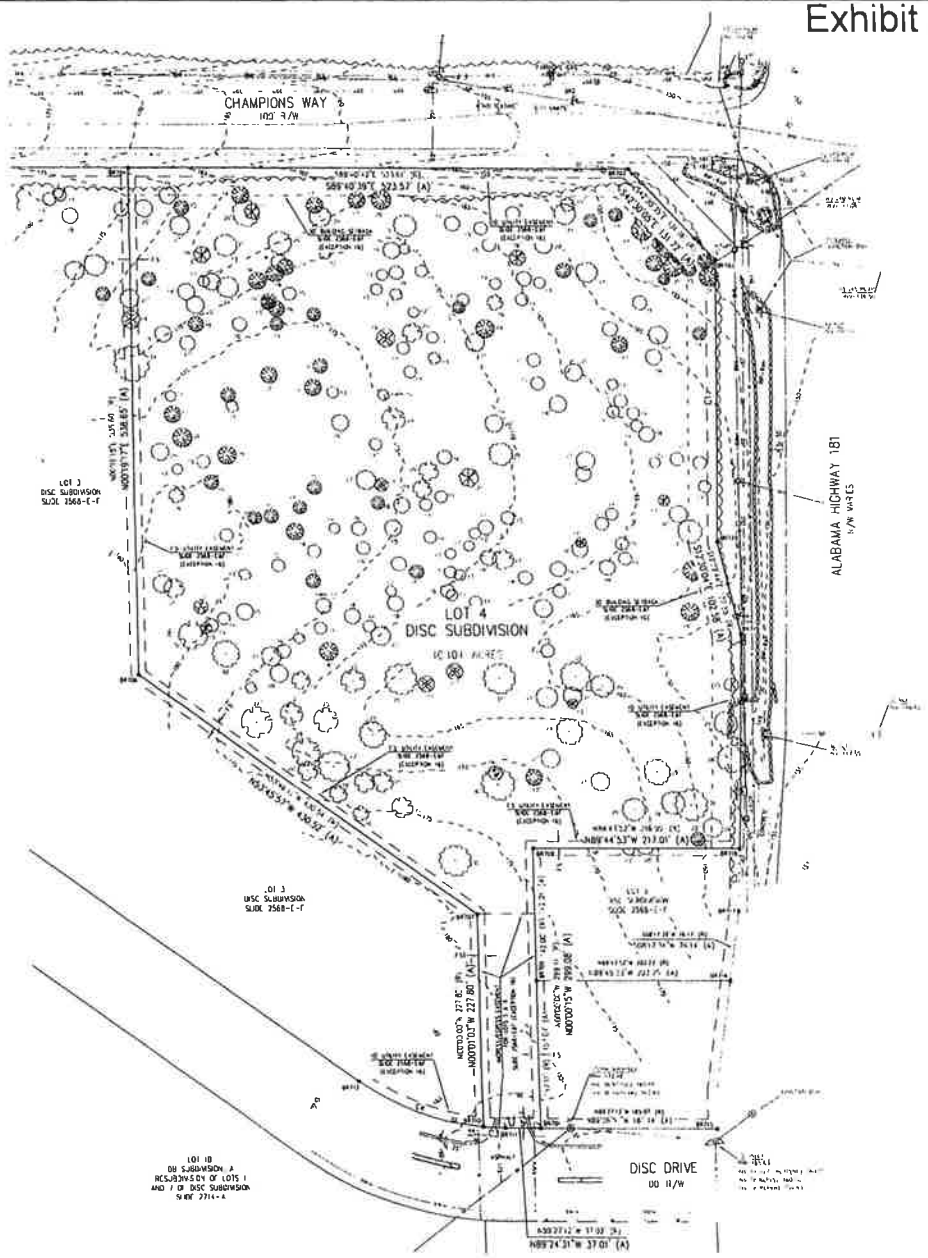
0 60 120
1" = 60'

ALTA/NSPS Land Title Survey

SHEET 2 OF 2

WATTIER SURVEYING, INC.
PROFESSIONAL LAND SURVEYORS

Exhibit B Survey



NOTES

1. THIS SURVEY DOES NOT REFLECT ANY TITLE OR EASEMENT RESEARCH BY THIS SURVEYOR. THIS IS TA/NSPS LAND TITLE SURVEY HAS BEEN PREPARED USING THE ALTA COMMITMENT FOR TITLE INSURANCE BY COMMONWEALTH LAND TITLE INSURANCE COMPANY COUNTERSIGNED BY ALABAMA LAND TITLE COMPANY, AS, COMMITMENT NUMBER 24-000450, EFFECTIVE DATE MARCH 8, 2024 AT 08:00 AM
2. THE PROPERTY DESCRIBED HEREON IS SHOWN ON THE FEMA FLOOD INSURANCE RATE MAP NO 01003C0538 H DATED 04/19/2018 AND IS SHOWN TO BE IN FLOOD ZONE(S) "X UNSHADED"
3. GROSS LAND AREA 439 8021 SF 10.101 ACRES
4. CURRENT ZONING CLASSIFICATION CITY OF DAPHNE B-3 PROFESSIONAL BUSINESS
   SETBACK REQUIREMENTS
   FROM:
   CHAMPIONS WAY 30 FEET
   STATE HIGHWAY 181 100 FEET FROM CENTER LINE
   SIDE 0 FEET
   SIDE STREET (STATE HIGHWAY 181) 30 FEET
   REAR 0 FEET
5. TAX PARCEL NUMBER 05-43-01-03-0-000-003.000
6. ELEVATIONS SHOWN HEREON ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88) AND WERE ESTABLISHED ON-SITE VIA STATIC GPS OBSERVATIONS PROCESSED VIA OPUS. THE CONTOUR LINES SHOWN HEREON WERE PRODUCED UTILIZING AERIAL LIDAR TECHNOLOGY ALONG WITH CONVENTIONAL GROUND SURVEYING TECHNOLOGY
7. THERE IS NO OBSERVABLE EVIDENCE OF CEMETERIES WITHIN THE SUBJECT PROPERTY
8. ALL SUBSTATION VISIBLE IMPROVEMENTS ON THE DESCRIBED PARCEL ARE SHOWN HEREON
9. ABOVE GROUND UTILITIES SHOWN HEREON ARE SHOWN BASED UPON FIELD MEASUREMENTS OF VISIBLE FEATURES
10. UNDERGROUND UTILITIES SHOWN HEREON WERE ESTABLISHED BY FIELD MEASUREMENTS OF MARKINGS PLACED ON THE GROUND BY VARIOUS UTILITY COMPANIES IN RESPONSE TO UTILITY LOCATE TICKETS NUMBERED 240730097, 240730107 AND 240731036, OR AS SHOWN ON AS-BUILT DRAWINGS PROVIDED BY UTILITY COMPANIES
11. THE SURVEYOR IS NOT AWARE OF ANY PLANS BY CONTROLLING AGENCIES TO CHANGE THE EXISTING STREET RIGHT OF WAYS OF STATE HIGHWAY 181, CHAMPIONS WAY & DISC DRIVE. THERE IS NO VISIBLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS
12. THERE IS NO OBSERVABLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.
13. DISTANCES SHOWN HEREON ARE STATE PLANE COORDINATE GRID DISTANCES (U.S. SURVEY FEET) AND ARE SCALED FACTOR OF 0.9999572 TO OBTAIN GROUND DISTANCE
14. BEARINGS SHOWN HEREON ARE STATE PLANE COORDINATE GRID BEARINGS, DERIVED AND ANGLES FROM GRID NORTH TO OBSERVED NORTH, S 00°10'48" W, BASED ON NAD 83 (2011) EPOCH 2010.0000
15. THERE ARE NO CHANGES OR PARTY WALLS WITH ADJACENT OR ADJOINING PROPERTIES
16. THERE IS NO OBSERVABLE EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS
17. THE IMPROVEMENTS ARE WHOLLY WITHIN THE BOUNDARIES OF THE SUBJECT PROPERTY EXCEPT AS SHOWN HEREON
18. NO ADJOINING VISIBLE ABOVE-GROUND STRUCTURE'S ENCROACH ON THE SUBJECT PROPERTY OR ANY KNOWN EASEMENT EXCEPT AS SHOWN HEREON AND LISTED UNDER THE STATEMENT OF APPARENT ENCROACHMENTS SHOWN HEREON

NOTES CORRESPONDING TO SCHEDULE B – PART II

(1-9) NON-SURVEY RELATED EXCEPTIONS

(10) EASEMENT OR RIGHT-OF-WAY FOR PUBLIC ROAD FROM A BERTOLLA & SONS TO BALDWIN COUNTY DATED JUNE 15, 1988 AND RECORDED JULY 7, 1988 IN REAL PROPERTY BOOK 360 PAGE 688

DOES NOT AFFECT SUBJECT PROPERTY

(11) RIGHT-OF-WAY DEED FROM A BERTOLLA & SONS TO BALDWIN COUNTY FILED FOR RECORD MAY 19, 1994 IN REAL PROPERTY BOOK 574, PAGE 87

DOES NOT AFFECT SUBJECT PROPERTY

(12) RIGHT-OF-WAY DEED FROM A BERTOLLA & SONS TO BALDWIN COUNTY FILED FOR RECORD MAY 19, 1994 IN REAL PROPERTY BOOK 574 PAGE 86

DOES NOT AFFECT SUBJECT PROPERTY

(13) RIGHT-OF-WAY IN FAVOR OF STATE OF ALABAMA AS SHOWN BY NOTICE OF LIS PENDENS RECORDED AS INSTRUMENT NUMBER 1123325 AND ALABAMA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP RECORDED AS INSTRUMENT NUMBER 1057773

DOES NOT AFFECT SUBJECT PROPERTY

(14-15) NON-SURVEY RELATED ITEMS

(16) RUNNING W. HEADS, WARRANTIES AND UTILITY EASEMENTS, TERMS, CONDITIONS AND RESTRICTIONS AS SET OUT ON RECORDED PLAT OF SAID SUBDIVISION BY SLIDE NO 2568-E AND 2568-F

AFFECTS SUBJECT PROPERTY - PLOTTED HEREON WHERE POSSIBLE

CURVE DATA

CURVE	DELTA	ARC LENGTH	RADIUS	CHORD BEARING	CHORD LENGTH
C1 (A)	N/A	39.27'	25.00'	S45°59'23"W	35.36'
C2 (A)	90°00'00"	23.56'	15.00'	S45°59'23"W	21.21'
C3 (A)	N/A	23.56'	15.00'	S44°00'37"E	21.21'
C4 (A)	90°00'00"	23.56'	15.00'	S45°59'23"W	21.21'
C5 (A)	N/A	23.56'	15.00'	S44°00'37"E	21.21'
C6 (A)	89°52'48"	23.51'	15.00'	N89°38'01"E	21.17'
C7 (A)	N/A	23.51'	15.00'	N89°38'01"E	21.17'
C8 (A)	90°07'12"	23.59'	15.00'	S00°21'59"E	21.23'
C9 (A)	N/A	23.59'	15.00'	S00°21'59"E	21.23'
C10 (A)	90°07'12"	23.59'	15.00'	S89°38'01"W	21.23'
C11 (A)	N/A	23.59'	15.00'	S89°38'01"W	21.23'
C12 (A)	90°07'12"	23.59'	15.00'	N00°21'59"W	21.23'
C13 (A)	N/A	23.59'	15.00'	N00°21'59"W	21.23'
C14 (A)	90°07'12"	23.59'	15.00'	N89°38'01"E	21.23'
C15 (A)	N/A	23.59'	15.00'	N89°38'01"E	21.23'
C16 (A)	90°07'12"	23.59'	15.00'	S00°21'59"E	21.23'
C17 (A)	N/A	23.59'	15.00'	S00°21'59"E	21.23'
C18 (A)	90°07'12"	23.59'	15.00'	S89°38'01"W	21.23'
C19 (A)	N/A	23.59'	15.00'	S89°38'01"W	21.23'
C20 (A)	90°07'12"	23.59'	15.00'	N00°21'59"W	21.23'
C21 (A)	N/A	23.59'	15.00'	N00°21'59"W	21.23'
C22 (A)	90°07'12"	23.59'	15.00'	N89°38'01"E	21.23'
C23 (A)	N/A	23.59'	15.00'	N89°38'01"E	21.23'
C24 (A)	90°07'12"	23.59'	15.00'	S00°21'59"E	21.23'
C25 (A)	N/A	23.59'	15.00'	S00°21'59"E	21.23'
C26 (A)	90°07'12"	23.59'	15.00'	S89°38'01"W	21.23'
C27 (A)	N/A	23.59'	15.00'	S89°38'01"W	21.23'
C28 (A)	90°07'12"	23.59'	15.00'	N00°21'59"W	21.23'
C29 (A)	N/A	23.59'	15.00'	N00°21'59"W	21.23'
C30 (A)	90°07'12"	23.59'	15.00'	N89°38'01"E	21.23'
C31 (A)	N/A	23.59'	15.00'	N89°38'01"E	21.23'
C32 (A)	90°07'12"	23.59'	15.00'	S00°21'59"E	21.23'
C33 (A)	N/A	23.59'	15.00'	S00°21'59"E	21.23'
C34 (A)	90°07'12"	23.59'	15.00'	S89°38'01"W	21.23'
C35 (A)	N/A	23.59'	15.00'	S89°38'01"W	21.23'
C36 (A)	90°07'12"	23.59'	15.00'	N00°21'59"W	21.23'
C37 (A)	N/A	23.59'	15.00'	N00°21'59"W	21.23'
C38 (A)	90°07'12"	23.59'	15.00'	N89°38'01"E	21.23'
C39 (A)	N/A	23.59'	15.00'	N89°38'01"E	21.23'
C40 (A)	90°07'12"	23.59'	15.00'	S00°21'59"E	21.23'
C41 (A)	N/A	23.59'	15.00'	S00°21'59"E	21.23'
C42 (A)	90°07'12"	23.59'	15.00'	S89°38'01"W	21.23'
C43 (A)	N/A	23.59'	15.00'	S89°38'01"W	21.23'
C44 (A)	90°07'12"	23.59'	15.00'	N00°21'59"W	21.23'
C45 (A)	N/A	23.59'	15.00'	N00°21'59"W	21.23'
C46 (A)	90°07'12"	23.59'	15.00'	N89°38'01"E	21.23'
C47 (A)	N/A	23.59'	15.00'	N89°38'01"E	21.23'
C48 (A)	90°07'12"	23.59'	15.00'	S00°21'59"E	21.23'
C49 (A)	N/A	23.59'	15.00'	S00°21'59"E	21.23'
C50 (A)	90°07'12"	23.59'	15.00'	S89°38'01"W	21.23'
C51 (A)	N/A	23.59'	15.00'	S89°38'01"W	21.23'
C52 (A)	90°07'12"	23.59'	15.00'	N00°21'59"W	21.23'
C53 (A)	N/A	23.59'	15.00'	N00°21'59"W	21.23'
C54 (A)	90°07'12"	23.59'	15.00'	N89°38'01"E	21.23'
C55 (A)	N/A	23.59'	15.00'	N89°38'01"E	21.23'
C56 (A)	90°07'12"	23.59'	15.00'	S00°21'59"E	21.23'
C57 (A)	N/A	23.59'	15.00'	S00°21'59"E	21.23'
C58 (A)	90°07'12"	23.59'	15.00'	S89°38'01"W	21.23'
C59 (A)	N/A	23.59'	15.00'	S89°38'01"W	21.23'
C60 (A)	90°07'12"	23.59'	15.00'	N00°21'59"W	21.23'
C61 (A)	N/A	23.59'	15.00'	N00°21'59"W	21.23'
C62 (A)	90°07'12"	23.59'	15.00'	N89°38'01"E	21.23'
C63 (A)	N/A	23.59'	15.00'	N89°38'01"E	21.23'
C64 (A)	90°07'12"	23.59'	15.00'	S00°21'59"E	21.23'
C65 (A)	N/A	23.59'	15.00'	S00°21'59"E	21.23'
C66 (A)	90°07'12"	23.59'	15.00'	S89°38'01"W	21.23'
C67 (A)	N/A	23.59'	15.00'	S89°38'01"W	21.23'
C68 (A)	90°07'12"	23.59'	15.00'	N00°21'59"W	21.23'
C69 (A)	N/A	23.59'	15.00'	N00°21'59"W	21.23'
C70 (A)	90°07'12"	23.59'	15.00'	N89°38'01"E	21.23'
C71 (A)	N/A	23.59'	15.00'	N89°38'01"E	21.23'
C72 (A)	90°07'12"	23.59'	15.00'	S00°21'59"E	21.23'
C73 (A)	N/A	23.59'	15.00'	S00°21'59"E	21.23'
C74 (A)	90°07'12"	23.59'	15.00'	S89°38'01"W	21.23'
C75 (A)	N/A	23.59'	15.00'	S89°38'01"W	21.23'
C76 (A)	90°07'12"	23.59'	15.00'	N00°21'59"W	21.23'
C77 (A)	N/A	23.59'	15.00'	N00°21'59"W	21.23'
C78 (A)	90°07'12"	23.59'	15.00'	N89°38'01"E	21.23'
C79 (A)	N/A	23.59'	15.00'	N89°38'01"E	21.23'
C80 (A)	90°07'12"	23.59'	15.00'	S00°21'59"E	21.23'
C81 (A)	N/A	23.59'	15.00'	S00°21'59"E	21.23'
C82 (A)	90°07'12"	23.59'	15.00'	S89°38'01"W	21.23'
C83 (A)	N/A	23.59'	15.00'	S89°38'01"W	21.23'
C84 (A)	90°07'12"	23.59'	15.00'	N00°21'59"W	21.23'
C85 (A)	N/A	23.59'	15.00'	N00°21'59"W	21.23'
C86 (A)	90°07'12"	23.59'	15.00'	N89°38'01"E	21.23'
C87 (A)	N/A	23.59'	15.00'	N89°38'01"E	21.23'
C88 (A)	90°07'12"	23.59'	15.00'	S00°21'59"E	21.23'
C89 (A)	N/A	23.59'	15.00'	S00°21'59"E	21.23'
C90 (A)	90°07'12"	23.59'	15.00'	S89°38'01"W	21.23'
C91 (A)	N/A	23.59'	15.00'	S89°38'01"W	21.23'
C92 (A)	90°07'12"	23.59'	15.00'	N00°21'59"W	21.23'
C93 (A)	N/A	23.59'	15.00'	N00°21'59"W	21.23'
C94 (A)	90°07'12"	23.59'	15.00'	N89°38'01"E	21.23'
C95 (A)	N/A	23.59'	15.00'	N89°38'01"E	21.23'
C96 (A)	90°07'12"	23.59'	15.00'	S00°21'59"E	21.23'
C97 (A)	N/A	23.59'	15.00'	S00°21'59"E	21.23'
C98 (A)	90°07'12"	23.59'	15.00'	S89°38'01"W	21.23'
C99 (A)	N/A	23.59'	15.00'	S89°38'01"W	21.23'
C100 (A)	90°07'12"	23.59'	15.00'	N00°21'59"W	21.23'
C101 (A)	N/A	23.59'	15.00'	N00°21'59"W	21.23'
C102 (A)	90°07'12"	23.59'	15.00'	N89°38'01"E	21.23'
C103 (A)	N/A	23.59'	15.00'	N89°38'01"E	21.23'
C104 (A)	90°07'12"	23.59'	15.00'	S00°21'59"E	21.23'
C105 (A)	N/A	23.59'	15.00'	S00°21'59"E	21.23'
C106 (A)	90°07'12"	23.59'	15.00'	S89°38'01"W	21.23'
C107 (A)	N/A	23.59'	15.00'	S89°38'01"W	21.23'
C108 (A)	90°07'12"	23.59'	15.00'	N00°21'59"W	21.23'
C109 (A)	N/A	23.59'	15.00'	N00°21'59"W	21.23'
C110 (A)	90°07'12"	23.59'	15.00'	N89°38'01"E	21.23'
C111 (A)	N/A	23.59'	15.00'	N89°38'01"E	21.23'
C112 (A)	90°07'12"	23.59'	15.00'	S00°21'59"E	21.23'
C113 (A)	N/A	23.59'	15.00'	S00°21'59"E	21.23'
C114 (A)	90°07'12"	23.59'	15.00'	S89°38'01"W	21.23'
C115 (A)	N/A	23.59'	15.00'	S89°38'01"W	21.23'
C116 (A)	90°07'12"	23.59'	15.00'	N00°21'59"W	21.23'
C117 (A)	N/A	23.59'	15.00'	N00°21'59"W	21.23'
C118 (A)	90°07'12"	23.59'	15.00'	N89°38'01"E	21.23'
C119 (A)	N/A	23.59'	15.00'	N89°38'01"E	21.23'
C120 (A)	90°07'12"	23.59'	15.00'	S00°21'59"E	21.23'
C121 (A)	N/A	23.59'	15.00'	S00°21'59"E	21.23'
C122 (A)	90°07'12"	23.59'	15.00'	S89°38'01"W	21.23'
C123 (A)	N/A	23.59'	15.00'	S89°38'01"W	21.23'
C124 (A)	90°07'12"	23.59'	15.00'	N00°21'59"W	21.23'
C125 (A)	N/A	23.59'	15.00'	N00°21'59"W	21.23'
C126 (A)	90°07'12"	23.59'	15.00'	N89°38'01"E	21.23'
C127 (A)	N/A	23.59'	15.00'	N89°38'01"E	21.23'
C128 (A)	90°07'12"	23.59'	15.00'	S00°21'59"E	21.23'
C129 (A)	N/A	23.59'	15.00'	S00°21'59"E	21.23'
C130 (A)	90°07'12"	23.59'	15.00'	S89°38'01"W	21.23'
C131 (A)	N/A	23.59'	15.00'	S89°38'01"W	21.23'
C132 (A)	90°07'12"	23.59'	15.00'	N00°21'59"W	21.23'
C133 (A)	N/A	23.59'	15.00'	N00°21'59"W	21.23'
C134 (A)	90°07'12"	23.59'	15.00'	N89°38'01"E	21.23'
C135 (A)	N/A	23.59'	15.00'	N89°38'01"E	21.23'
C136 (A)	90°07'12"	23.59'	15.00'	S00°21'59"E	21.23'
C137 (A)	N/A	23.59'	15.00'	S00°21'59"E	21.23'
C138 (A)	90°07'12"	23.59'	15.00'	S89°38'01"W	21.23'
C139 (A)	N/A	23.59'	15.00'	S89°38'01"W	21.23'
C140 (A)	90°07'12"	23.59'	15.00'	N00°21'59"W	21.23'
C141 (A)	N/A	23.59'	15.00'	N00°21'59"W	21.23'
C142 (A)	90°07'12"	23.59'	15.00'	N89°38'01"E	21.23'
C143 (A)	N/A	23.59'	15.00'	N89°38'01"E	21.23'
C144 (A)	90°07'12"	23.59'	15.00'	S00°21'59"E	21.23'
C145 (A)	N/A	23.59'	15.00'	S00°21'59"E	21.23'
C146 (A)	90°07'12"	23.59'	15.00'	S89°38'01"W	21.23'
C147 (A)	N/A	23.59'	15.00'	S89°38'01"W	21.23'
C148 (A)	90°07'12"	23.59'	15.00'	N00°21'59"W	21.23'
C149 (A)	N/A	23.59'	15.00'	N00°21'59"W	21.23'
C150 (A)	90°07'12"	23.59'	15.00'	N89°38'01"E	21.23'
C151 (A)	N/A	23.59'	15.00'	N89°38'01"E	21.23'
C152 (A)	90°07'12"	23.59'	15.00'	S00°21'59"E	21.23'
C153 (A)	N/A	23.59'	15.00'	S00°21'59"E	21.23'
C154 (A)	90°07'12"	23.59'	15.00'	S89°38'01"W	21.23'
C155 (A)	N/A	23.59'	15.00'	S89°38'01"W	21.23'
C156 (A)	90°07'12"	23.59'	15.00'	N00°21'59"W	21.23'
C157 (A)	N/A	23.59'	15.00'	N00°21'59"W	21.23'
C158 (A)	90°07'12"	23.59'	15.00'	N89°38'01"E	21.23'
C159 (A)	N/A	23.59'	15.00'	N89°38'01"E	21.23'
C160 (A)	90°07'12"	23.59'	15.00'	S00°21'59"E	21.23'
C161 (A)	N/A	23.59'	15.00'	S00°21'59"E	21.23'
C162 (A)	90°07'12"	23.59'	15.00'	S89°38'01"W	21.23'
C163 (A)	N/A	23.59'	15.00'	S89°38'01"W	21.23'
C164 (A)	90°07'12"	23.59'	15.00'	N00°21'59"W	21.23'
C165 (A)	N/A	23.59'	15.00'	N00°21'59"W	21.23'
C166 (A)	90°07'12"	23.59'	15.00'	N89°38'01"E	21.23'
C167 (A)	N/A	23.59'	15.00'	N89°38'01"E	21.23'
C168 (A)	90°07'12"	23.59'	15.00'	S00°21'59"E	21.23'
C169 (A)	N/A	23.59'	15.00'	S00°21'59"E	21.23'
C170 (A)	90°07'12"	23.59'	15.00'	S89°38'01"W	21.23'
C171 (A)	N/A	23.59'	15.00'	S89°38'01"W	21.23'
C172 (A)	90°07'12"	23.59'	15.00'	N00°21'59"W	21.23'
C173 (A)	N/A	23.59'	15.00'	N00°21'59"W	21.23'
C174 (A)	90°07'12"	23.59'	15.00'	N89°38'01"E	21.23'
C175 (A)	N/A	23.59'	15.00'	N89°38'01"E	21.23'
C176 (A)	90°07'12"	23.59'	15.00'	S00°21'59"E	21.23'
C177 (A)	N/A	23.59'	15.00'	S00°21'59"E	21.23'
C178 (A)	90°07'12"	23.59'	15.00'	S89°38'01"W	21.23'
C179 (A)	N/A	23.59'	15.00'	S89°38'01"W	21.23'
C180 (A)	90°07'12"	23.59'	15.00'	N00°21'59"W	21.23'
C181 (A)	N/A	23.59'	15.00'	N00°21'59"W	21.23'
C182 (A)	90°07'12"	23.59'	15.00'	N89°38'01"E	21.23'
C183 (A)	N/A	23.59'	15.00'	N89°38'01"E	21.23'
C184 (A)	90°07'12"	23.59'	15.00'	S00°21'59"E	21.23'
C185 (A)	N/A	23.59'	15.00'	S00°21'59"E	21.23'
C186 (A)	90°07'12"	23.59'	15.00'	S89°38'01"W	21.23'
C187 (A)	N/A	23.59'	15.00'	S89°38'01"W	21.23'
C188 (A)	90°07'12"	23.59'	15.00'	N00°21'59"W	21.23'
C189 (A)	N/A	23.59'	15.00'	N00°21'59"W	21.23'
C190 (A)	90°07'12"	23.59'	15.00'	N89°38'01"E	21.23'
C191 (A)	N/A	23.59'	15.00'	N89°38'01"E	21.23'
C192 (A)	90°07'12"	23.59'	15.00'	S00°21'59"E	21.23'
C193 (A)	N/A	23.59'	15.00'	S00°21'59"E	21.23'
C194 (A)	90°07'12"	23.59'	15.00'	S89°38'01"W	21.23'
C195 (A)	N/A	23.59'	15.00'	S89°38'01"W	21.23'
C196 (A)	90°07'12"	23.59'	15.00'	N00°21'59"W	21.23'
C197 (A)	N/A	23.59'	15.00'	N00°21'59"W	21.23'
C198 (A)	90°07'12"	23.59'	15.00'	N89°38'01"E	21.23'
C199 (A)	N/A	23.59'	15.00'	N89°38'01"E	21.23'
C200 (A)	90°07'12"	23.59'	15.00'	S00°21'59"E	21.23'
C201 (A)	N/A	23.59'	15.00'	S00°21'59"E	21.23'
C202 (A)	90°07'12"	23.59'	15.00'	S89°38'01"W	21.23'
C203 (A)	N/A	23.59'	15.00'	S89°38'01"W	21.23'
C204 (A)	90°07'12"	23.59'	15.00'	N00°21'59"W	21.23'
C205 (A)	N/A	23.59'	15.00'	N00°21'59"W	21.23'
C206 (A)	90°07'12"	23.59'	15.00'	N89°38'01"E	21.23'
C207 (A)	N/A	23.59'	15.00'	N89°38'01"E	21.23'
C208 (A)	90°07'12"	23.59'	15.00'	S00°21'59"E	21.23'
C209 (A)	N/A	23.59'	15.00'	S00°21'59"E	21.23'
C210 (A)	90°07'12"	23.59'	15.00'	S89°38'01"W	21.23'
C211 (A)	N/A	23.59'	15.00'	S89°38'01"W	21.23'
C212 (A)	90°07'12"	23.59'	15.00'	N00°21'59"W	21.23'
C213 (A)	N/A	23.59'	15.00'	N00°21'59"W	21.23'
C214 (A)	90°07'12"	23.59'	15.00'	N89°38'01"E	21.23'
C215 (A)	N/A	23.59'	15.00'	N89°38'01"E	21.23'
C216 (A)	90°07'12"	23.59'	15.00'	S00°21'59"E	21.23'
C217 (A)	N/A	23.59'	15.00'	S00°21'59"E	21.23'
C218 (A)	90°07'12"	23.59'	15.00'	S89°38'01"W	21.23'
C219 (A)	N/A	23.59'	15.00'	S89°38'01"W	21.23'
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C221 (A)	N/A	23.59'	15.00'	N00°21'59"W	21.23'
C222 (A)	90°07'12"	23.59'	15.00'	N89°38'01"E	21.23'
C223 (A)	N/A	23.59'	15.00'	N89°38'01"E	21.23'
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C225 (A)	N/A	23.59'	15.00'	S00°21'59"E	21.23'
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C227 (A)	N/A	23.59'	15.00'	S89°38'01"W	21.23'
C228 (A)	90°07'12"	23.59'	15.00'	N00°21'59"W	21.23'
C229 (A)	N/A	23.59'	15.00'	N00°21'59"W	21.23'
C230 (A)	90°07'12"	23.59'	15.00'	N89°38'01"E	21.23'
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C232 (A)	90°07'12"	23.59'	15.00'	S00°21'59"E	21.23'
C233 (A)	N/A	23.59'	15.00'	S00°21'59"E	21.23'
C234 (A)	90°07'12"	23.59'	15.00'	S89°38'01"W	21.23'
C235 (A)	N/A	23.59'	15.00'	S89°38'01"W	21.23'
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C239 (A)	N/A	23.59'	15.00'	N89°38'01"E	21.23'
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C242 (A)	90°07'12"	23.59'	15.00'	S89°38'01"W	21.23'
C243 (A)	N/A	23.59'	15.00'	S89°38'01"W	21.23'
C244 (A)	90°07'12"	23.59'	15.00'	N00°21'59"W	21.23'
C245 (A)	N/A	23.59'	15.00'	N00°21'59"W	21.23'
C246 (A)	90°07'12"	23.59'	15.00'	N89°38'01"E	21.23'
C247 (A)	N/A	23.59'	15.00'	N89°38'01"E	21.23'
C248 (A)	90°07'12"	23.59'	15.00'	S00°21'59"E	21.23'
C249 (A)	N/A	23.59'	15.00'	S00°21'59"E	21.23'
C250 (A)	90°07'12"	23.59'	15.00'	S89°38'01"W	21.23'
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C253 (A)	N/A	23.59'	15.00'	N00°21'59"W	21.23'
C254 (A)	90°07'12"	23.59'	15.00'	N89°38'01"E	21.23'
C255 (A)	N/A	23.59'	15.00'	N89°38'01"E	21.23'
C256 (A)	90°07'12"	23.59'	15.00'	S00°21'59"E	21.23'
C257 (A)	N/A	23.59'	15.00'	S00°21'59"E	21.23'
C258 (A)	90°07'12"	23.59'	15.00'	S89°38'01"W	21.23'
C259 (A)	N/A	23.59'	15.00'	S89°38'01"W	21.23'
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C261 (A)	N/A	23.59'	15.00'	N00°21'59"W	21.23'
C262 (A)	90°07'12"	23.59'	15.00'	N89°38'01"E	21.23'
C263 (A)	N/A	23.59'	15.00'	N89°38'01"E	21.23'
C264 (A)	90°07'12"	23.59'	15.00'	S00°21'59"E	21.23'
C265 (A)	N/A	23.59'	15.00'	S00°21'59"E	21.23'
C266 (A)	90°07'12"	23.59'	15.00'	S89°38'01"W	21.23'
C267 (A)	N/A	23.59'	15.00'	S89°38'01"W	21.23'
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C269 (A)	N/A	23.59'	15.00'	N00°21'59"W	21.23'
C270 (A)	90°07'12"	23.59'	15.00'	N89°38'01"E	21.23'
C271 (A)	N/A	23.59'	15.00'	N89°38'01"E	21.23'
C272 (A)	90°07'12"	23.59'	15.00'	S00°21'59"E	21.23'
C273 (A)	N/A	23.59'	15.00'	S00°21'59"E	21.23'
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C276 (A)	90°07'12"	23.59'	15.00'	N00°21'59"W	21.23'
C277 (A)	N/A	23.59'	15.00'	N00°21'59"W	21.23'
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C279 (A)	N/A	23.59'	15.00'	N89°38'01"E	21.23'
C280 (A)	90°07'12"	23.59'	15.00'	S00°21'59"E	21.23'
C281 (A)	N/A	23.59'	15.00'	S00°21'59"E	21.23'
C282 (A)	90°07'12"	23.59'	15.00'	S89°38'01"W	21.23'
C283 (A)	N/A	23.59'	15.00'	S89°38'01"W	21.23'
C284 (A)	90°07'12"	23.59'	15.00'	N00°21'59"W	21.23'
C285 (A)	N/A	23.59'	15.00'	N00°21'59"W	21.23'
C286 (A)	90°07'12"	23.59'	15.00'	N89°38'01"E	21.23'
C287 (A)	N/A	23.59'	15.00'	N89°38'01"E	21.23'
C288 (A)	90°07'12"	23.59'	15.00'	S00°21'59"E	21.23'
C289 (A)	N/A	23.59'	15.00'	S00°21'59"E	21.23'
C290 (A)	90°07'12"	23.59'	15.00'	S89°38'01"W	21.23'
C291 (A)	N/A	23.59'	15.00'	S89°38'01"W	21.23'
C292 (A)	90°07'12"	23.59'	15.00'	N00°21'59"W	21.23'
C293 (A)	N/A	23.59'	15.00'	N00°21'59"W	21.23'
C294 (A)	90°07'12"	23.59'	15.00'	N89°38'01"E	21.23'
C295 (A)	N/A	23.59'	15.00'	N89°38'01"E	21.23'
C296 (A)	90°07'12"	23.59'	15.00'	S00°21'59"E	21.23'
C297 (A)	N/A	23.59'	15.00'	S00°21'59"E	21.23'
C298 (A)	90°07'12"	23.59'	15.00'	S89°38'01"W	21.23'
C299 (A)	N/A	23.59'	15.00'	S89°38'01"W	21.23'
C300 (A)	90°07'12"	23.59'	15.00'	N00°21'59"W	21.23'
C301 (A)	N/A	23.59'	15.00'	N00°21'59"W	21.23'
C302 (A)	90°07'12"	23.59'	15.00'	N89°38'01"E	21.23'
C303 (A)	N/A	23.59'	15.00'	N89°38'01"E	21.23'
C304 (A)	90°07'12"	23.59'	15.00'	S00°21'59"E	21.23'
C305 (A)	N/A	23.59'	15.00'	S00°21'59"E	21.23'
C306 (A)	90°07'12"	23.59'	15.00'	S89°38'01"W	21.23'

EXECUTIVE SUMMARY FOR

PROSPECT PARK

PLANNED UNIT DEVELOPMENT

DEVELOPER:

68Ventures

707 Belrose Avenue Daphne, AL 36526
P: 251.625.1198

PREPARED BY:

JADE CONSULTING

PROJECT TEAM AND INFORMATION

Parcel Number (s)	Currently Zoned Proposed	Location/Address	Project Acres
05-43-02-03-0-000-003.000, 05-43-02-03-0-000-003.001, 05-43-02-03-0-000-003.002, 05-43-02-03-0-000-003.003, 05-43-02-03-0-000-003.004, 05-43-02-03-0-000-003.005, 05-43-02-03-0-000-003.007, 05-43-02-03-0-000-003.008, 05-43-02-03-0-000-003.009	B-3 PUD	Disc Dr. Daphne	59.81 AC

Developer/Buyer: 68Ventures	707 Belrose Avenue Daphne, AL 36526 251-625-1198
Civil Engineer: JADE CONSULTING	**JADE Consulting, LLC** 208 N. Greeno Rd., Ste. C Fairhope, AL 36532 (251) 928-3443 Perry C. "Trey" Jinright III, P.E., LEED AP tjinright@jadengineers.com Paul Marcinko, P.E., Project Manager pmarcinko@jadengineers.com Sherry Ruth, Project Coordinator sruth@jadengineers.com
Surveyor: Wattier Surveying	**Wattier Surveying, Inc.** 318 Downtowner Loop North, Suite H Mobile, AL 36609 (251) 342-2640 Mark Wattier mark@wattiersurveying.com
Architect: NEQUETTE ARCHITECTURE & DESIGN	2227 2ND Avenue North Birmingham, AL 35203 (205) 329-7027 Jared Calhoun Jared@nequette.com
Landscape Architect:: WAS DESIGN landscape architects	WAS Design 218 N. Alston Street Foley, AL 36535 251-948-7181
Traffic Engineer: NEEL-SCHAFFER Solutions you can build upon	Neel Schaffer, Inc. 851 East I-65 Service Road Suite 1000 Mobile, AL 36606 251-471-2000

Prospect Park Project Narrative:

Prospect Park is an assemblage of nine parcels on the Southwest corner of Champions Way and State Highway 181. The accumulated area measures approximately 59.81 acres. The attached proposal aims to create a neighborhood commercial hub consistent with Daphne's Community Development Vision outlined in the "Envision 2042" plan. The program on site includes the preservation of a corporate office component, with surrounding single-family attached townhomes, multifamily, retail space, commercial space, and hospitality space. This is all oriented around a centralized green space and mixed-use buildings at the village core. Additionally, the site provides residents and pedestrians ample community amenities in the form of structured (pool, pickleball) and unstructured (pocket park, community green, pedestrian paths) outdoor recreation opportunities.

Prospect Park Comprehensive Plan Compliance:

Prospect Park works to re-imagine the Daphne Innovation + Science Complex (DISC) site to leverage the in-place work to create a new, mixed-use, walkable commercial center for the surrounding residential community. While the proposal still allows for the advanced manufacturing training center, we're now surrounding that with a mix of housing options, from overnight stay (hospitality) to long-term rental to fee simple home ownership. The variety of retail, restaurant, and commercial office opportunities will help make this area a thriving LIVE-WORK-PLAY district and offer onsite residents and nearby property owners a different living experience than is currently offered in Daphne. The planning aims to infill the wide boulevard streets with on-street parking broken by street tree wells to create an inviting pedestrian zone where residents and visitors can enjoy the community greens, parks, and walking paths that weave through and around the site.

Public/Private Benefits:

- Creation of public realm (walkable streets and public greens) for events and community gatherings. This includes a 1 acre centralized green area / public park to be constructed by the Developer and utilized by the general public.
- Developer to construct a ½ acre, four court, pickleball facility to be utilized as an amenity to the site and open to the general public.
- Improvement of the Champion's Way street frontage with landscaping, sidewalk, and street trees.
- Improved pedestrian connectivity by connecting the pedestrian circulation network around and through the site.
- Creation of a new neighborhood commercial district to compliment Olde Towne Daphne and serve the residential development on the east side of the city.
- Improved traffic flow and mitigation of traffic impacts to 181 by connecting the Church of the Highlands property back to Champion's Way through this site. 68 Ventures entered into a Tri-Party agreement with the Church and IDB, in which 68 Ventures provides an access and construction easement on the Prospect Park site allowing the Church to construct the connection road at their expense.
- 7.3 acres of tree save of 20-48" caliper trees existing on site.
- Prospect Park will be a tremendous source of tax revenue to the City of Daphne through sales taxes generated by the commercial spaces, as well as through lodging tax generated by the hotel.

Land Use Summary:

- Of the 59.81-acre DISC property, the land use is very consistent of a mixed-use project, depending heavily on housing, commercial/retail, and open space. The proposed uses are outlined below:
- Multifamily/Mixed-use 22.00 AC
- Open space: 15.61 AC
- Commercial: 12.30 AC
- Townhouse Lots: 7.20 AC
- Hospitality: 2.70 AC
- Total acreage 59.81AC

Bulk and Density:

(See Phase & Density Map for block density and anticipated heights.)

- Transect Zone 4 – Urban residential.
  - Will abide by side and rear yards requirements of the B-3 zoning. The front yard requirement would not be compliant.
  - Lot Coverages and building heights would also abide by the underlying zoning.
- Transect Zone 5 – Urban Center.
  - Will abide by side and rear yards requirements of the B-3 zoning. The front yard requirement would not be compliant.
  - Lot Coverages would also abide by the underlying zoning.
  - All structures would be compliant with a 4-story height limitation (with the understanding that a basement level with half or more of it's elevation below grade would not be counted as a story)
  - The three 4-story structures listed as 4-story would not be compliant with the 50' height limitation in B-3 zoning.
  -

Signage:

(See architectural guidelines for additional information.)

- Signage allowances in this PUD are more restrictive than the signage ordinance currently in place for the City of Daphne. All commercial tenants complying with our signage regulations will by correlation be complying with City of Daphne's signage ordinance.

Streets, Drainage and Utilities :

All streets and drainage are currently designed, approved, and installed. As a part of this proposal, we propose to leave the majority of the existing systems in place and perform any needed minor modifications to the roadways within the existing curbs, being mindful to avoid major impacts to the existing storm sewers as much as possible. On the northeast corner, where we have added property not originally a part of the site, we will extend the roads, sewers, and add detention as need to accommodate the additional development.

On-site Parking Controls: Development team will work with City of Daphne to strategize and implement a parking control strategy that benefits residents, visitors, and the city in the long term.

Existing Infrastructure: Development team assumes that roadways in place are designed to meet local fire code (i.e. traffic-rated) for emergency response. The change from office to residential loading should not affect the adequacy of the infrastructure design. The TIA and future soils testing will verify both assumptions and, if those reports necessitate changes to the existing infrastructure, development team will work with City of Daphne to make those adjustments.

BMPs:

Design of infrastructure, any needed improvements, and all environmental protections shall be provided during site plan review. The site development will meet all city site plan requirements.
All city requirements for site plan approval, including CBMPP shall be met. All pertinent requirements of the city code including but not limited to Section 18-6 of the City of Daphne Land Use & Development Ordinance will be met unless specifically stated otherwise in this proposal.

Landscaping:

Champion's Way: Champions Way will be lined with street trees and a walking trail to make sure it provides complimentary character as the subdivision across the street. The commercial buildings fronting Champions Way will maintain a high aesthetic and appearance of facing outwards toward the road.

Existing Mature Tree Canopy: The intent of the existing mature tree canopy areas are to leave them as undisturbed as possible. These areas contain heritage trees, topography, and a small area of wetlands (in the southwest corner) that we are preserving.

Parking :

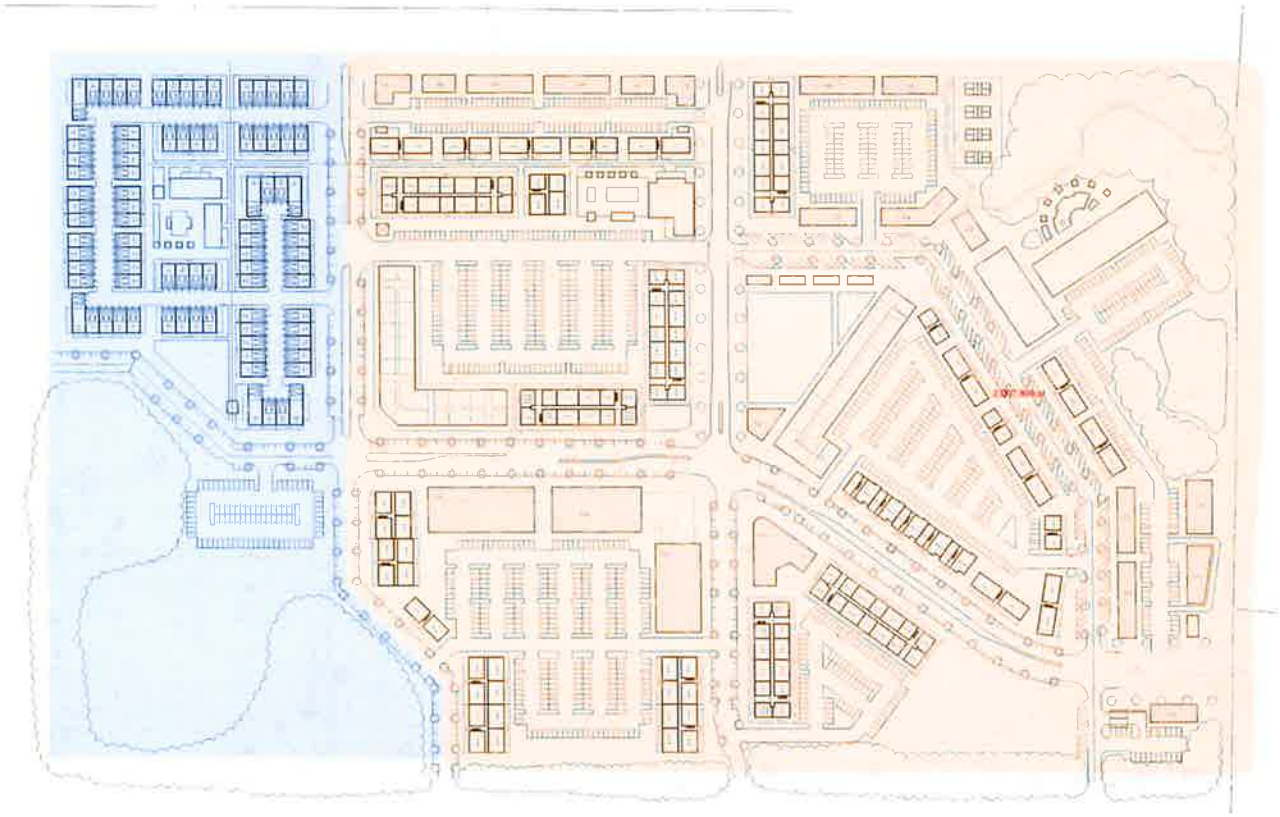
- Development team will work with City of Daphne to implement a parking control strategy that benefits residents, visitors, and City in the long term.
- All Townhouse Residences will provide two spaces per unit, with additional guest parking provided on-street.
    - Multi-Family units will have 2.0 spaces per unit.
    - Hospitality will park at 1.0 space per key.
    - Retail will park at 4 spaces per 1,000 net square feet.
    - Office space will park at 3 spaces per 1,000 net square feet.
      All parking on-site will have shared parking factors applied on a per phase/ per block basis.

Development Schedule:

(See Phase & Density Map for phase limits and use allocations.)

- Phases A & B will be the first phases to be developed and are expected to commence once all entitlements are in place.
- Phase C – successive phase; development will commence as commercial and multifamily delivered in phase B are stabilized.
- Phase D – successive phase; development will depend on hospitality demand.
- Phase E & F – successive phase; development will commence as retail tenants are identified.

- Phase G – successive phase; construction will commence as soon as an agreement is in place with Novelis for National Training Center and/or other corporate office tenant leases signed.



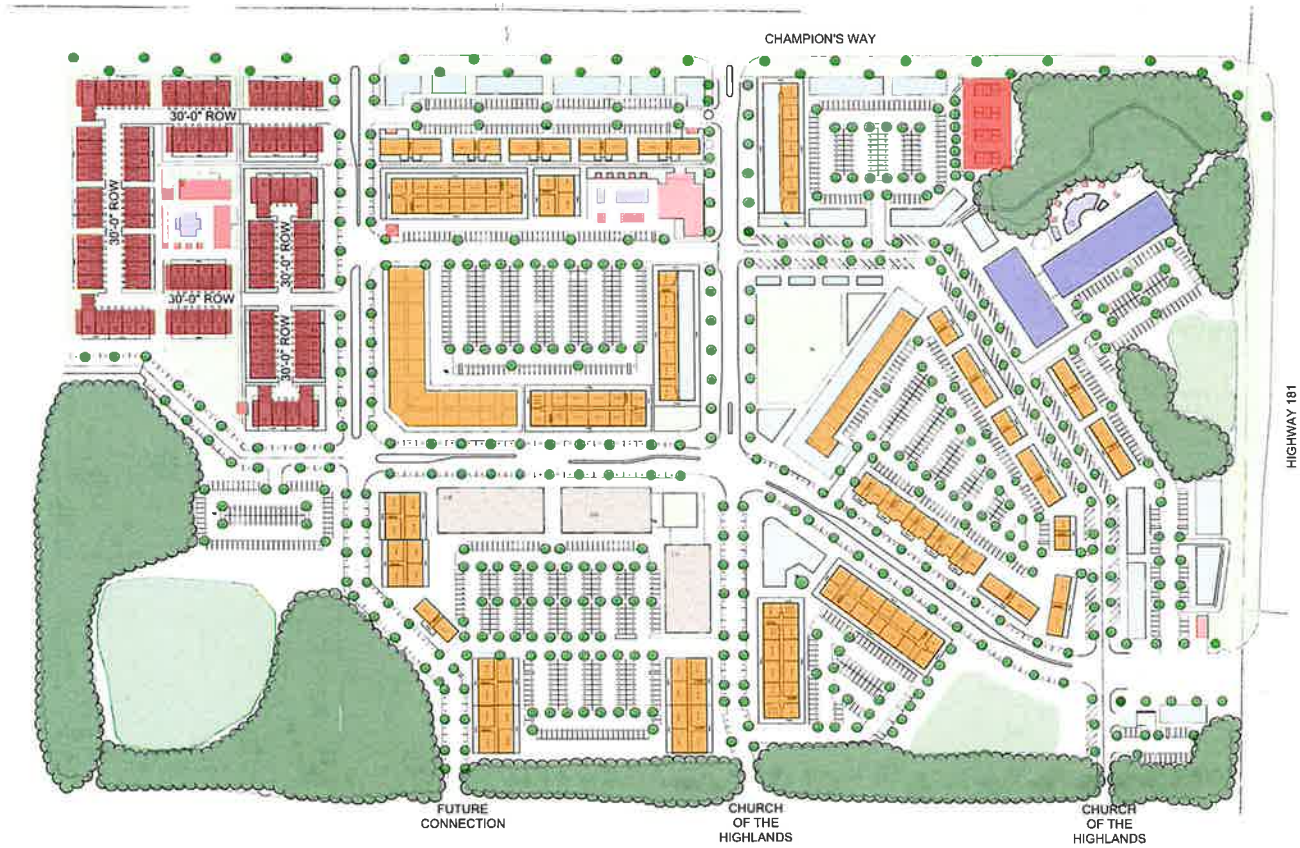
SITE LEGEND

T4 - URBAN RESIDENTIAL

T5 - URBAN CENTER

PROSPECT PARK TRANSECT MAP
SCALE 1" = 100'-0"

VICINITY MAP
N.T.S.



PROSPECT PARK CONCEPTUAL PLAN
SCALE 1" = 100'-0"
CURRENT ZONING: B-3 (PROF. OFFICE)

SITE LEGEND

- AMENITY BUILDINGS / PAVILIONS
- TOWNHOUSE LOT (TOTAL OF 87)
- HOSPITALITY (135 KEYS @ 4 STORIES)
- MARKET RATE MULTIFAMILY (620 DU)
- COMMERCIAL SPACE 86,500 GSF (WITHOUT HOSPITALITY)
- CORPORATE OFFICE 120,000 GSF

PROPOSED PARKING

PARKING LOAD FACTORS

1&2 FAMILY DU	2 / UNIT
MULTIFAMILY	2 / UNIT
HOSPITALITY	1.0/ UNIT
COMMERCIAL	4 / 1,000 GSF
CORPORATE OFFICE	3 / 1,000 GSF

PARKING REQUIRED

SF ATTACHED	174 STALLS
HOSPITALITY	135 STALLS
MULTIFAMILY	1,240 STALLS
COMMERCIAL	346 STALLS
CORPORATE OFFICE	360 STALLS
TOTAL	2,255 STALLS
(SHARED PARKING)	1,755 STALLS

PARKING PROVIDED

OFF-STREET	1,252
ON-STREET	363
GARAGE	174
TOTAL STALLS	**1,789**

VICINITY MAP
N.T.S.

APPENDIX

COMMUNITY GUIDELINES FOR

PROSPECT PARK

DEVELOPER:

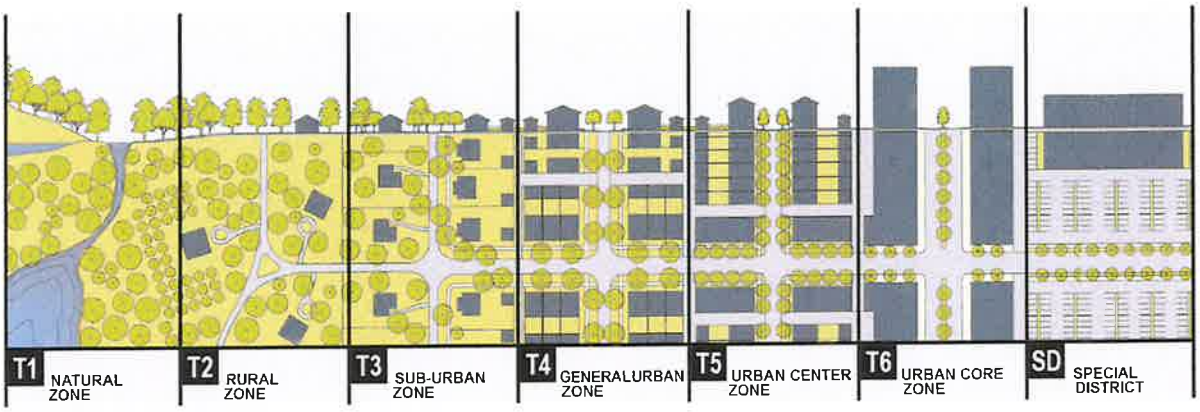
68 Ventures

707 Belrose Ave, Daphne, AL 36526
251-625-1198

PREPARED BY:

NEQUETTE
ARCHITECTURE & DESIGN

MAY 2024



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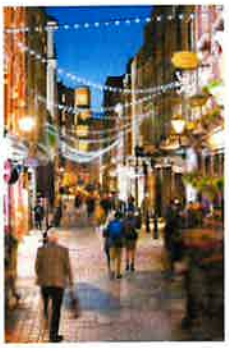


A. Preface-

The Prospect Park Design Guidelines address the overall planning, architectural, aesthetics and sustainability concepts established for all neighborhood plans, new buildings, building additions, site-work, landscaping and signage. These guidelines contain information that inform, guide and govern Prospect Park's overall design and character. The purpose of these guidelines is to facilitate the crafting of a memorable community with a high level of predictability and enduring value. These guidelines are based on well established architectural and town planning traditions commonly found in our most beloved American towns. These thoughtful traditions form the basis of street and open space layout and design, mixture of uses, building placement, and architectural standards found herein.

City of Daphne Zoning Ordinances should continue to be applicable to issues not covered by these guidelines. All designs must be compliant with applicable government zoning codes. In case of contradiction with local ordinance, these guidelines shall be adjusted in collaboration with City of Daphne Planning Commission & the Prospect Park Design Review Committee.

Owners are responsible for complying with all local, state and federal codes, and for obtaining permits from those relevant agencies.

B. Project Narrative- Not used, see Executive Summary

C. City Comprehensive Plan- Not used, see Executive Summary

D. Allowable Uses by District

Transect Zones:

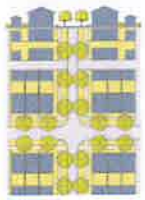
The Transect, as a framework, identifies a range of habitats from the most natural to the most urban. Its continuum, when subdivided, lends itself to the creation of zoning categories. These categories include standards that encourage diversity similar to that of organically evolved settlements. The standards overlap (they are parametric), reflecting the successional ecotones of natural and human communities. The Transect thereby integrates environmental and zoning methodologies, enabling environmentalists to assess the design of social habitats and urbanists to support the viability of natural ones.

- T-4 General Urban Zone consists of a mixed use but primarily residential urban fabric. It may have a wide range of building types: single, sideyard, and rowhouses. Setbacks and landscaping are variable. Streets with curbs and sidewalks define medium-sized blocks.
- T-5 Urban Center Zone consists of higher density mixed use building that accommodate retail, offices, rowhouses and apartments. It has a tight network of streets, with wide sidewalks, steady street tree planting and buildings set close to the sidewalks.

TABLE 1. TRANSECT ZONE DESCRIPTIONS

TABLE 1: Transect Zone Descriptions. This table provides descriptions of the character of each T-zone.

T4

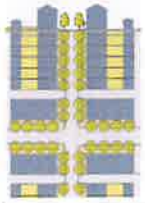


T-4 GENERAL URBAN

T-4 General Urban Zone consists of a mixed use but primarily residential urban fabric. It may have a wide range of building types: single, sideyard, and rowhouses. Setbacks and landscaping are variable. Streets with curbs and sidewalks define medium-sized blocks.

General Character:	Mix of Houses, Townhouses & small Apartment buildings, with scattered Commercial activity; balance between landscape and buildings; presence of pedestrians
Building Placement:	Shallow to medium front and side yard Setbacks
Frontage Types:	Porches, fences, Dooryards
Typical Building Height:	2-Story
Type of Civic Space:	Squares, Greens

T5



T-5 URBAN CENTER

T-5 Urban Center Zone consists of higher density mixed use building that accommodate retail, offices, rowhouses and apartments. It has a tight network of streets, with wide sidewalks, steady street tree planting and buildings set close to the sidewalks.

General Character:	Shops mixed with Townhouses, larger Apartment houses, Offices, workplace, and Civic buildings; predominantly attached buildings; trees within the public right-of-way; substantial pedestrian activity
Building Placement:	Shallow Setbacks or none; buildings oriented to street defining a street wall
Frontage Types:	Stoops, Shopfronts, Galleries
Typical Building Height:	1-4 Story with some variation
Type of Civic Space:	Parks, Plazas and Squares, median landscaping

TABLE 12. SPECIFIC FUNCTION & USE

TABLE 12: Specific Function & Use. This table expands the categories of Table 10 to delegate specific Functions and uses within Transect Zones. Table 12 should be customized for local character and requirements.

a. RESIDENTIAL	T4	T5
Mixed Use Block		▪
Flex Building		▪
Apartment Building		▪
Live/Work Unit		
Row House	▪	▪
Duplex House	▪	▪
Courtyard House		
Sideyard House		
Cottage	▪	
House		
Villa		
Accessory Unit		

b. LODGING		
Hotel (no room limit)		▪
Inn (up to 12 rooms)		▪
Bed & Breakfast (up to 5 rooms)		▪
S.R.O. hostel		▫

c. office		
Office Building		▪
Live-Work Unit		▪

d. RETAIL		
Open-Market Building		▪
Retail Building		▪
Display Gallery		▪
Restaurant		▪
Kiosk		▪
Push Cart		▫
Liquor Selling Establishment		▫

e. CIVIC		
Conference Center		▫
Fountain or Public Art	▪	▪
Library		▪
Live Theater		▪
Movie Theater		▪
Museum		▫
Outdoor Auditorium		▪
Parking Structure		▪
Passenger Terminal		▫
Playground	▪	▪
Surface Parking Lot	▪	▫
Religious Assembly		▪

▪ Permitted
▫ Conditional Use

Form-based Code Graphics Table 15B- T4

L. BUILDING FUNCTION (see Table 10 & Table 12)	
Residential	limited use
Lodging	limited use
Office	limited use
Retail	limited use
k. BUILDING CONFIGURATION (see Table 8)	
Principal Building	2-story & 35'
Outbuilding	2 stories max.
f. LOT OCCUPATION (see Table 14f)	
Lot Width	18 ft min 96 ft max
Lot Coverage	70% max
i. BUILDING DISPOSITION (see Table 9)	
Edgeyard	permitted
Sideyard	permitted
Rearyard	permitted
Courtyard	not permitted
g. SETBACKS - PRINCIPAL BUILDING (see Table 14g)	
(g.1) Front Setback Principal	6 ft. min. 18 ft. max.
(g.2) Front Setback Secondary	6 ft. min. 18 ft. max
(g.3) Side Setback	0 ft. min.
(g.4) Rear Setback	3 ft. min.*
Frontage Buildout	60% min at setback
h. SETBACKS - OUTBUILDING (see Table 14h)	
(h.1) Front Setback	20 ft. min. + bldg. setback
(h.2) Side Setback	0 ft. min. or 3 ft at corner
(h.3) Rear Setback	3 ft. min
j. PRIVATE FRONTAGES (see Table 7)	
Common Lawn	not permitted
Porch & Fence	permitted
Terrace or L.C.	permitted
Forecourt	permitted
Stoop	permitted
Shopfront & Awning	permitted
Gallery	permitted
Arcade	not permitted

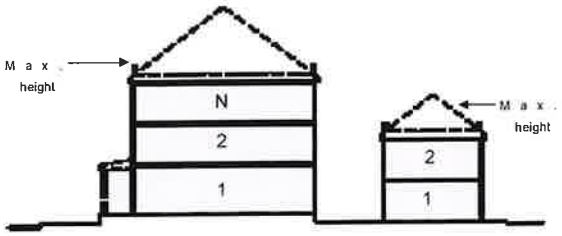
PARKING PROVISIONS
See Table 10 & Table 11

*or 15 ft. from center line of alley

"N" stands for any Stories above those shown, up to the maximum. Refer to metrics for exact minimums and maximums

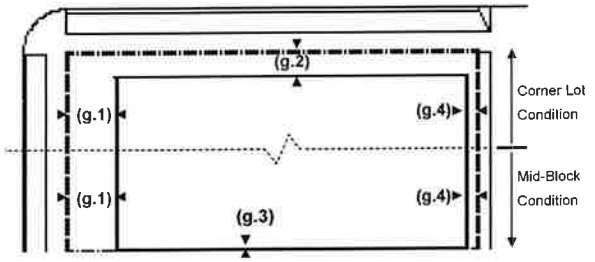
BUILDING CONFIGURATION

1. Building height shall be measured in number of Stories, excluding Attics and raised basements.
2. Stories may not exceed 14 feet in height from finished floor to finished ceiling, except for a first floor Commercial function which must be a minimum of 11 ft with a maximum of 25 ft.
3. Height shall be measured to the eave or roof deck as specified on Table 8.



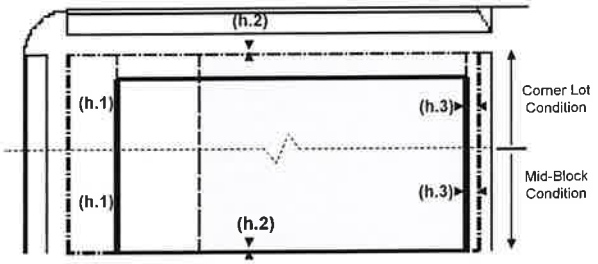
SETBACKS - PRINCIPAL BLDG

1. The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as shown.
2. Facades shall be built along the Principal Frontage to the minimum specified width in the table.



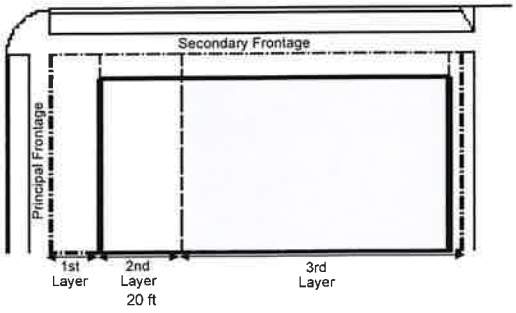
SETBACKS - OUTBUILDING

1. The Elevations of the Outbuilding shall be distanced from the Lot lines as shown.



PARKING PLACEMENT

1. Uncovered parking spaces may be provided within the third Layer as shown in the diagram (see Table 17d).
2. Covered parking shall be provided within the third Layer as shown in the diagram (see Table 17d).
3. Trash containers shall be stored within the third Layer.



Form-based Code Graphics Table 15C- T5

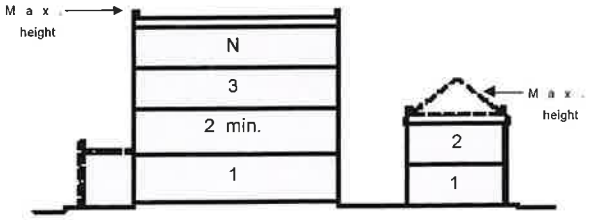
I. BUILDING FUNCTION (see Table 10 & Table 12)	
Residential	open use
Lodging	open use
Office	open use
Retail	open use
k. BUILDING CONFIGURATION (see Table 8)	
Principal Building	4 stories max. 65' max.
Outbuilding	2 stories max.
f. LOT OCCUPATION (see Table 14f)	
Lot Width	18 ft min 180 ft max
Lot Coverage	80% max
i. BUILDING DISPOSITION (see Table 9)	
Edgeyard	not permitted
Sideyard	permitted
Rearyard	permitted
Courtyard	permitted
g. SETBACKS - PRINCIPAL BUILDING (see Table 14g)	
(g.1) Front Setback Principal	2 ft. min. 12 ft. max.
(g.2) Front Setback Secondary	2 ft. min. 12 ft. max.
(g.3) Side Setback	0 ft. min. 24 ft. max.
(g.4) Rear Setback	3 ft. min.*
Frontage Buildout	80% min at setback
h. SETBACKS - OUTBUILDING (see Table 14h)	
(h.1) Front Setback	40 ft. max. from rear prop.
(h.2) Side Setback	0 ft. min. or 2 ft at corner
(h.3) Rear Setback	3 ft. max.
j. PRIVATE FRONTAGES (see Table 7)	
Common Lawn	not permitted
Porch & Fence	not permitted
Terrace or L.C.	permitted
Forecourt	permitted
Stoop	permitted
Shopfront & Awning	permitted
Gallery	permitted
Arcade	permitted
PARKING PROVISIONS	
See Table 10 & Table 11	

*or 15 ft. from center line of alley

"N" stands for any Stories above those shown, up to the maximum. Refer to metrics for exact minimums and maximums

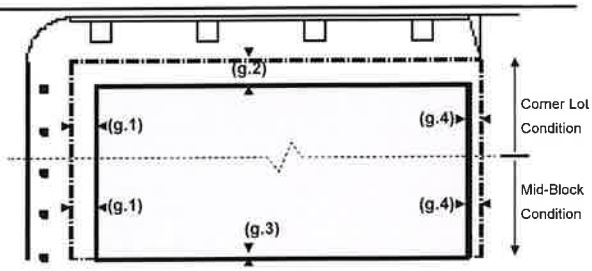
BUILDING CONFIGURATION

1. Building height shall be measured in number of Stories, excluding Attics and raised basements.
2. Stories may not exceed 14 feet in height from finished floor to finished ceiling, except for a first floor Commercial function which must be a minimum of 11 ft with a maximum of 25 ft.
3. Height shall be measured to the eave or roof deck as specified on Table 8.
4. Expression Lines shall be as shown on Table 8.



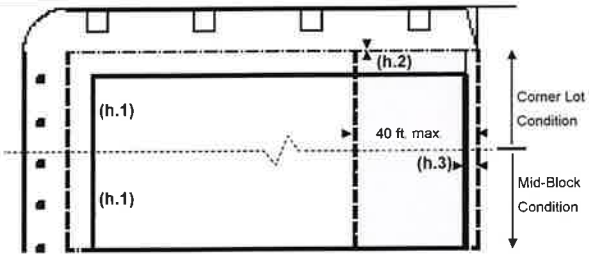
SETBACKS - PRINCIPAL BLDG

1. The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as shown.
2. Facades shall be built along the Principal Frontage to the minimum specified width in the table.



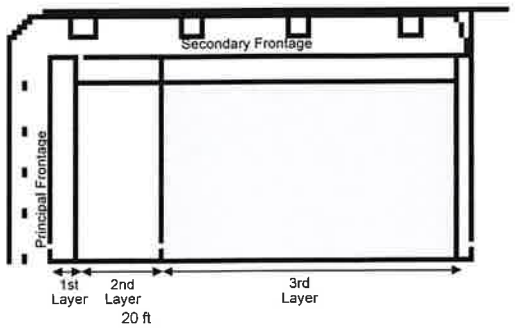
SETBACKS - OUTBUILDING

1. The Elevations of the Outbuilding shall be distanced from the Lot lines as shown.



PARKING PLACEMENT

1. Uncovered parking spaces may be provided within the third Layer as shown in the diagram (see Table 17d).
2. Covered parking shall be provided within the third Layer as shown in the diagram (see Table 17d).
3. Trash containers shall be stored within the third Layer.

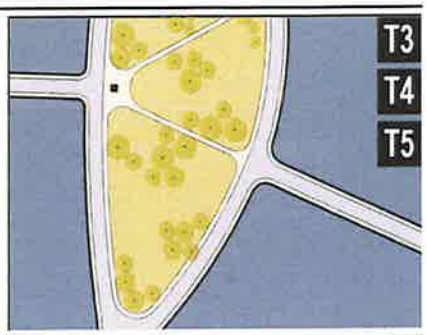


E. Open Spaces

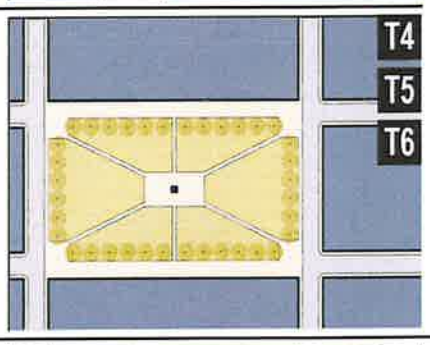
The design of Prospect Park allows for significant areas dedicated to open greens and natural areas. Roads and home sites are located to take advantage of long and short views and existing topography. Multi-use and navigable open space as well as a comprehensive sidewalk layout encourages exploration throughout the community to be utilized by all generations. The community landscape plan is influenced by the multiple natural areas, creating appropriate transitions between the public realm and private spaces. The network of parks and greens help provide walkable destinations that connect neighbors to neighborhoods. The sidewalks and greens work together as an extensive network of pedestrian pathways keeping everyday connections a reality.

Open Space Types

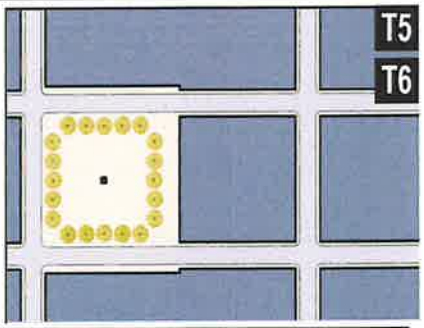
1. Green: An Open Space, available for unstructured recreation. A Green may be spatially defined by landscaping rather than building frontages. Its landscape shall consist of lawn and trees, naturalistically disposed. The minimum size shall be 1/2 acre and the maximum shall be 8 acres.



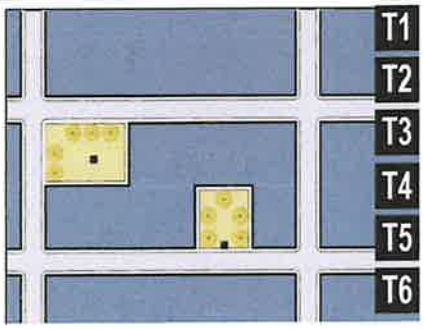
2. Square: An Open Space, available for unstructured recreation and Civic purposes. A Square is spatially defined by building frontages. Its landscape shall consist of sidewalks, paths, lawns and trees, formally disposed. Squares shall be located at the intersection of important thoroughfares. The minimum size shall be 1/2 acre and the maximum shall be 5 acres.



3. Plaza: An Open Space, available for Civic purposes and Commercial activities. A Plaza shall be spatially defined by building frontages. Its landscape shall consist primarily of hardscape being cobblestone, bricks or pavement. Trees when applicable should be a part of the design. Plazas should be located at the intersection of important streets. The minimum size shall be 1/2 acre and the maximum shall be 2 acres.



4. Playground: An Open Space designed and equipped for the recreation of children. A playground should be fenced and may include an open shelter. Playgrounds shall be interspersed within residential areas and may be placed with a block. Playgrounds may be included within parks and greens. There shall be no minimum or maximum size.



5. Existing Mature Landscaping to Remain: Environmentally sensitive areas close to drainageways, within the buffers, and within the most extreme topographical areas would be protected. The edges of the wooded areas outside the buffers will be groomed and made accessible, invasive species removed and replaces with native plantings. These areas will be maintained in perpetuity similar to the other landscaping proposed within the other areas on-site.

TABLE 10: Building Function. This table categorizes Building Functions within Transect Zones. Parking requirements are correlated to functional intensity. For Specific Function and Use permitted By Right or by Warrant, see Table 12.

	T4	T5 | T6
a. RESIDENTIAL	**Limited Residential:** The number of dwellings on each Lot is limited by the requirement of 1.5 parking places for each dwelling, a ratio which may be reduced according to the shared parking standards (See Table 11).	**Open Residential:** The number of dwellings on each Lot is limited by the requirement of 1.0 parking places for each dwelling, a ratio which may be reduced according to the shared parking standards (See Table 11).
b. LODGING	**Limited Lodging:** The number of bedrooms available on each Lot for lodging is limited by the requirement of 1.0 assigned parking places for each bedroom, up to twelve, in addition to the parking requirement for the dwelling. The Lodging must be owner occupied. Food service may be provided in the a.m. The maximum length of stay shall not exceed ten days.	**Open Lodging:** The number of bedrooms available on each Lot for lodging is limited by the requirement of 1.0 assigned parking places for each bedroom. Food service may be provided at all times. The area allocated for food service shall be calculated and provided with parking according to Retail Function.
c. OFFICE	**Limited Office:** The building area available for office use on each Lot is limited to the first Story of the principal building and/or to the Accessory building, and by the requirement of 3.0 assigned parking places per 1000 square feet of net office space in addition to the parking requirement for each dwelling.	**Open Office:** The building area available for office use on each Lot is limited by the requirement of 2.0 assigned parking places per 1000 square feet of net office space.
d. RETAIL	**Limited Retail:** The building area available for Retail use is limited to the first Story of buildings at corner locations, not more than one per Block, and by the requirement of 4.0 assigned parking places per 1000 square feet of net Retail space in addition to the parking requirement of each dwelling. The specific use shall be further limited to neighborhood store, or food service seating no more than 40.	**Open Retail:** The building area available for Retail use is limited by the requirement of 3.0 assigned parking places per 1000 square feet of net Retail space. Retail spaces under 1500 square feet are exempt from parking requirements.
e. CIVIC	See Table 12	See Table 12
f. OTHER	See Table 12	See Table 12

TABLE 11: Parking Calculations. The Shared Parking Factor for two Functions, when divided into the sum of the two amounts as listed on the Required Parking table below, produces the Effective Parking needed for each site involved in sharing. Conversely, if the Sharing Factor is used as a multiplier, it indicates the amount of building allowed on each site given the parking available.

REQUIRED PARKING (See Table 10)

	T4	T5 | T6
RESIDENTIAL	2.0 / dwelling	2.0 / dwelling
LODGING	1.0 / bedroom	1.0 / bedroom
OFFICE	3.0 / 1000 sq. ft.	3.0 / 1000 sq. ft.
RETAIL	4.0 / 1000 sq. ft.	4.0 / 1000 sq. ft.
CIVIC	Conditional Use	
OTHER	Conditional Use	

SHARED PARKING FACTOR

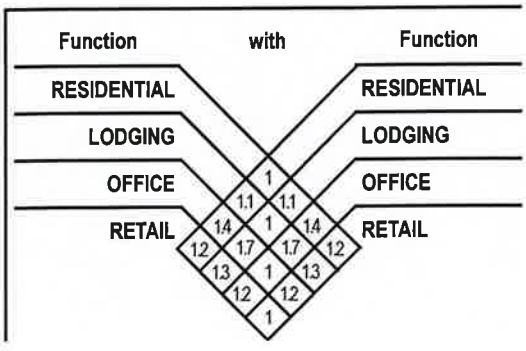


TABLE 3A: Vehicular Lane Dimensions. This table assigns lane widths to Transect Zones. The Design ADT (Average Daily Traffic) is the determinant for each of these sections. The most typical assemblies are shown in Table 3B. Specific requirements for truck and transit bus routes and truck loading shall be decided by Warrant.

DESIGN SPEED	TRAVEL LANE WIDTH	T4	T5
Below 20 mph	8 feet	▫	
20-25 mph	9 feet	▪	▫
25-35 mph	10 feet	▪	▪
25-35 mph	11 feet		▪
Above 35 mph	12 feet		▪

DESIGN SPEED	PARKING LANE WIDTH		
20-25 mph	(Angle) 18 feet		▪
20-25 mph	(Parallel) 7 feet	▪	
25-35 mph	(Parallel) 8 feet	▪	▪
Above 35 mph	(Parallel) 9 feet		▪

DESIGN SPEED	EFFECTIVE TURNING RADIUS	See Table 17b	
Below 20 mph	5-10 feet	▪	▪
20-25 mph	10-15 feet	▪	▪
25-mph	15-20 feet	▪	▪
Above 35 mph	20-30 feet		▫

▪ Permitted
▫ Conditional Use

TABLE 3B: Vehicular Lane/Parking Assemblies. The projected design speeds determine the dimensions of the vehicular lanes and Turning Radii assembled for Thoroughfares.

a. YIELD PARKING	T3 T4		T3 T4		
Design ADT	1,000 VPD		1,000 VPD		
Pedestrian Crossing	5 Seconds		7 Seconds		
Design Speed					
b. PARKING ONE SIDE PARALLEL	T3 T4	T3 T4 T5	T4 T5	T4 T5 T6	T5 T6
Design ADT	5,000 VPD	18,000 VPD	16,000 VPD	15,000 VPD	32,000 VPD
Pedestrian Crossing	5 Seconds	8 Seconds	9 Seconds	11 Seconds	13 Seconds
Design Speed	20-30 MPH		25-30 MPH	25-30 MPH	
c. PARKING BOTH SIDES PARALLEL	T4	T4 T5 T6	T4 T5 T6	T5 T6	T5 T6
Design ADT	8,000 VPD	20,000 VPD	15,000 VPD	22,000 VPD	32,000 VPD
Pedestrian Crossing	7 Seconds	10 Seconds	10 Seconds	13 Seconds	15 Seconds
Design Speed	Below 20 MPH	25-30 MPH	25-30 MPH	25-30 MPH	35 MPH and above
d. PARKING BOTH SIDES DIAGONAL	T5 T6	T5 T6	T5 T6	T5 T6	T5 T6
Design ADT	18,000 VPD	20,000 VPD	15,000 VPD	22,000 VPD	31,000 VPD
Pedestrian Crossing	15 Seconds	17 Seconds	17 Seconds	20 Seconds	23 Seconds
Design Speed	Below 20 MPH	20-25 MPH	20-25 MPH	25-30 MPH	25-30 MPH
e. PARKING ACCESS			T3 T4	T5 T6	
Design ADT					
Pedestrian Crossing			3 Seconds	6 Seconds	
Design Speed					

G. Private Frontages (Table 7)

The area between the building facades and the lot lines.

1. **Porch & Fence:** a planted Frontage wherein the Facade is set back from the Frontage Line with an attached porch permitted to Encroach. A fence at the Frontage Line maintains street spatial definition. Porches shall be no less than 8 feet deep.

2. **Terrace or Lightwell:** a Frontage wherein the Facade is set back from the Frontage line by an elevated terrace or a sunken Lightwell. This type buffers Residential use from urban Sidewalks and removes the private yard from public Encroachment. Terraces are suitable for conversion to outdoor cafes. Syn: **Dooryard.**

3. **Forecourt:** a Frontage wherein a portion of the Facade is close to the Frontage Line and the central portion is set back. The Forecourt created is suitable for vehicular drop-offs. This type should be allocated in conjunction with other Frontage types. Large trees within the Forecourts may overhang the Sidewalks.

4. **Stoop:** a Frontage wherein the Facade is aligned close to the Frontage Line with the first Story elevated from the Sidewalk sufficiently to secure privacy for the windows. The entrance is usually an exterior stair and landing. This type is recommended for ground-floor Residential use.

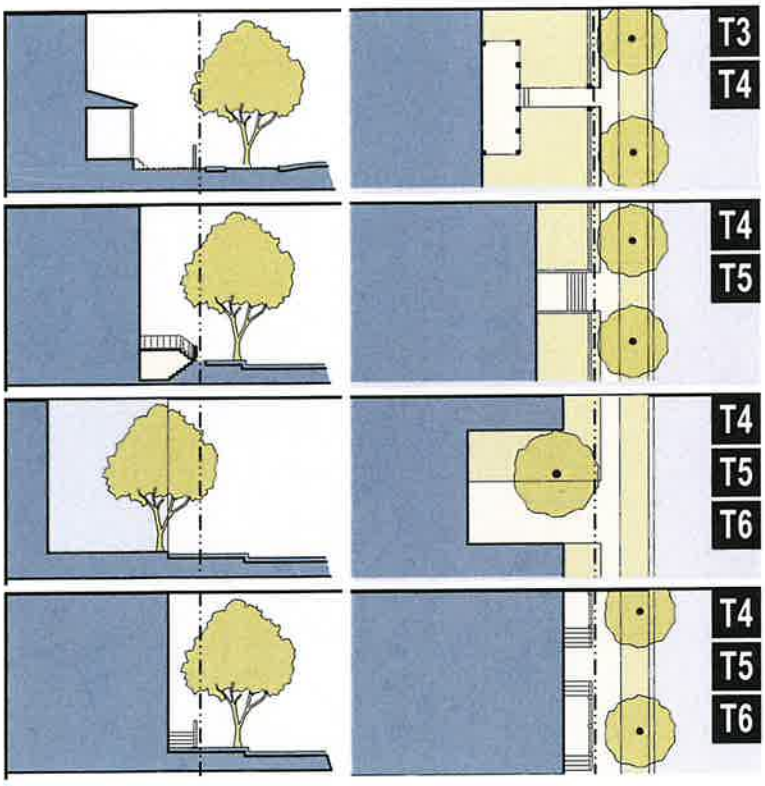
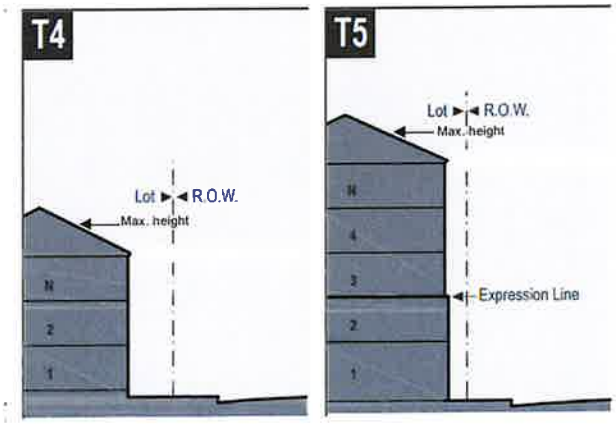


TABLE 8. BUILDING CONFIGURATION

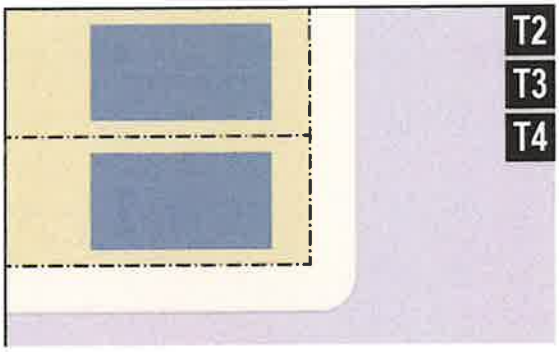
TABLE 8: Building Configuration. This table shows the Configurations for different building heights for each Transect Zone. It must be modified to show actual calibrated heights for local conditions. Recess Lines and Expression Lines shall occur on higher buildings as shown. N = maximum height as specified in Table 14k.



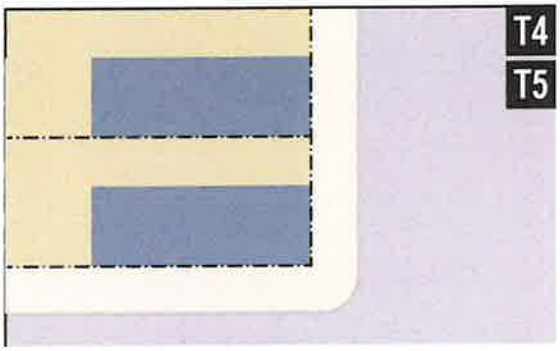
H. Building Disposition (Table 9)

The table approximates the location of the structure relative to the boundaries of each individual lot, establishing suitable basic building types for each Transect Zones.

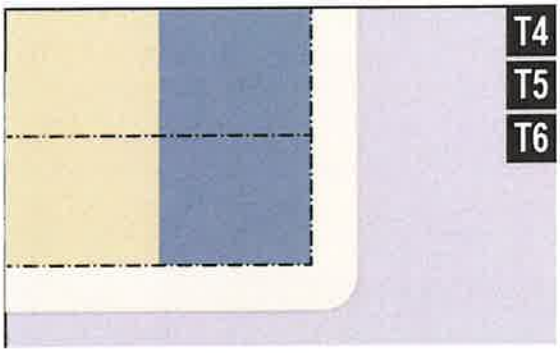
a. **Edgeyard:** Specific Types - single family House, cottage, villa, estate house, urban villa. A building that occupies the center of its Lot with Setbacks on all sides. This is the least urban of types as the front yard sets it back from the Frontage, while the side yards weaken the spatial definition of the public Thoroughfare space. The front yard is intended to be visually continuous with the yards of adjacent buildings. The rear yard can be secured for privacy by fences and a well-placed Backbuilding and/or Outbuilding.



b. **Sideyard:** Specific Types - Charleston single house, double house, zero lot line house, twin. A building that occupies one side of the Lot with the Setback to the other side. A shallow Frontage Setback defines a more urban condition. If the adjacent building is similar with a blank side wall, the yard can be quite private. This type permits systematic climatic orientation in response to the sun or the breeze. If a Sideyard House abuts a neighboring Sideyard House, the type is known as a twin or double House. Energy costs, and sometimes noise, are reduced by sharing a party wall in this Disposition.



c. **Rearyard:** Specific Types - Townhouse, Rowhouse, Live-Work unit, loft building, Apartment House, Mixed Use Block, Flex Building, perimeter Block. A building that occupies the full Frontage, leaving the rear of the Lot as the sole yard. This is a very urban type as the continuous Facade steadily defines the public Thoroughfare. The rear Elevations may be articulated for functional purposes. In its Residential form, this type is the Rowhouse. For its Commercial form, the rear yard can accommodate substantial parking.



d. **Courtyard:** Specific Types - patio House. A building that occupies the boundaries of its Lot while internally defining one or more private patios. This is the most urban of types, as it is able to shield the private realm from all sides while strongly defining the public Thoroughfare. Because of its ability to accommodate incompatible activities, masking them from all sides, it is recommended for workshops, Lodging and schools. The high security provided by the continuous enclosure is useful for crime-prone areas.

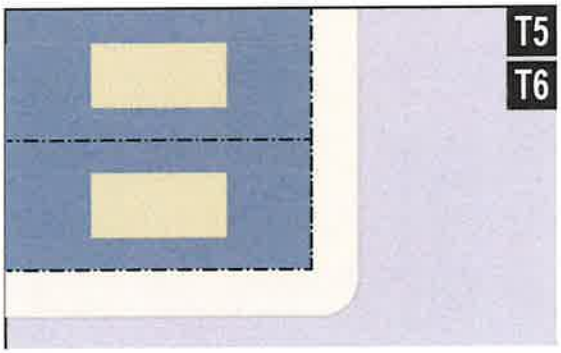


TABLE 5: Public Lighting. Lighting varies in brightness and also in the character of the fixture according to the Transect. The table shows five common types. A listed set of streetlights corresponding to these types would be approved by the utility company and listed on the page.

	T4	T5	Specifications
Post	▪		
Column	▪	▪	
Double Column		▪	

J. Pattern Book - Architectural Styles

Architectural Diversity Principles:

Objective: To foster a vibrant and engaging community environment through architectural diversity and variation, enhancing aesthetic appeal and creating a distinctive sense of place.

1. Varied Facade Designs:

Buildings on a block to have diverse material palettes and detailing for primary and secondary facades to create visual interest.

Minimum of three different facade treatments (e.g., brick, stucco, siding) within each block to prevent uniformity.

Variation from adjacent buildings in window patterns and/or door placements to ensure no two adjacent buildings have identical facades.

2. Color Diversity:

Identical color schemes for adjacent buildings is prohibited. Palette of complementary but distinct colors is encouraged.

3. Roofline Variation:

Design buildings with varied rooflines and heights to avoid a monotonous skyline. A variety of pitched, flat, and gabled roofs within each block is required.

Each building incorporates features such as dormers, skylights, and parapets to enhance roofline diversity. Roof features must not be identical to adjacent buildings.

4. Landscape and Hardscape Differentiation:

Each lot to have unique landscaping and hardscaping elements, including varied plant species, paving materials, and garden layouts.

Design communal spaces with distinct character zones, such as playgrounds, plazas, and seating areas, to create diverse interaction spaces.

5. Architectural Element Variation:

Each building must incorporate architectural elements such as balconies, overhangs, and awnings, with variations (from adjacent buildings) in their design and placement.

Different architectural details (e.g., trim, molding, and ornamentation) to enhance individuality (of adjacent buildings) while maintaining overall harmony is required.

6. Contextual Design:

Repetitive architectural solutions are not allowed. Designs should contribute positively to the community's evolving identity.

By implementing these guidelines, we aim to create a dynamic and visually stimulating environment that reflects a rich tapestry of architectural expressions and fosters a unique and engaging community atmosphere.

Modern Farmhouse (Simple forms and detailing, cleaner lines)

The farmhouse design style has its roots in actual farmhouses or shelters that were typically built by using local or regional construction techniques with readily available materials . Though homes on farmlands have existed for as long as farmers have, many attribute the traditional farmhouses in Europe from the 16th and 17th centuries serve as the inspiration for this specific aesthetic. The modern farmhouse style embraces the longtime staples like shiplap walls, open shelving, wide-plank hardwood floors, apron front sinks—while peppering in modern-day elements that lend the look a more contemporary, think steel-frame windows, black metal roof, clean-lined industrial light fixtures, covered porches and steep gables. Modern farmhouse evokes feelings of warmth and comfort.

While the classic farmhouse style evokes homesteads with plenty of vintage furnishings and traditional fabrics, the modern farmhouse style is a bit less rustic. It adds more contemporary touches, such as a neutral color scheme and smooth lines. Modern farmhouse is all about mixing comfortable furniture with salvaged materials, such as reclaimed wood.

Antiques are at home in modern farmhouse interiors, though they shouldn't be too delicate to touch. Everything should be tactile and tangible. Most of all, the modern farmhouse style is cozy without being cluttered.

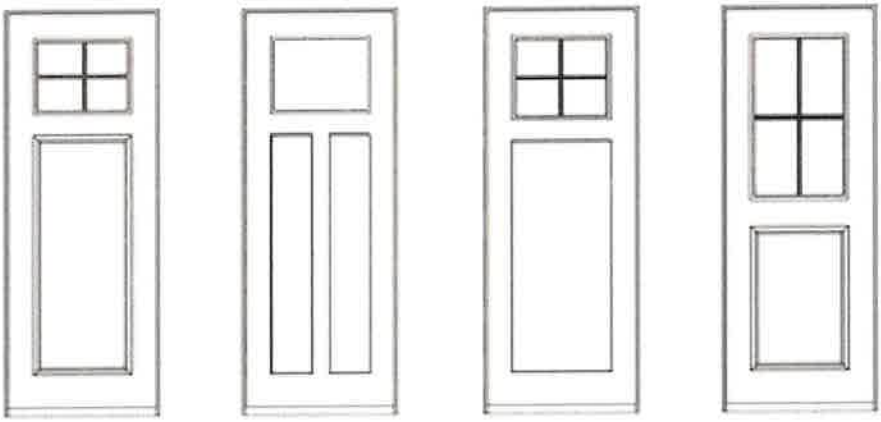
Modern Farmhouse - Color Schemes

Modern farmhouse colors are easy on the eyes, effortless, and blend in with the room around it. The best colors are warm and cool neutrals, like cream, beige, brown, gray, white, and natural, earthy tones, like blues, greens, and yellows.

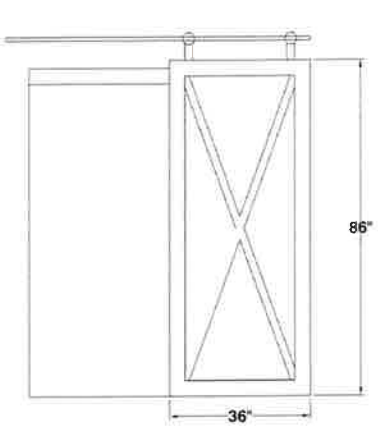
White: Modern farmhouse homes often incorporate white paint, furniture, or accents to make the rooms feel bright and open.
Warm neutrals: Warm neutrals like cream, beige, and brown feel comfortable because they invoke natural skin tones, all with a little yellow undertone. They feel natural, and many can self-identify with these tones.
Cool neutrals: Cool neutrals like gray, silver, blue, and light green have a blue undertone. These colors are naturally soothing and serene.
Earthy accents: Nature gives us wood, greenery, changing foliage colors, and ocean and sky blues. These warm woods and deeper reds and oranges are not bold or jarring; they're relaxing, reassuring, and grounding.(used sparingly)

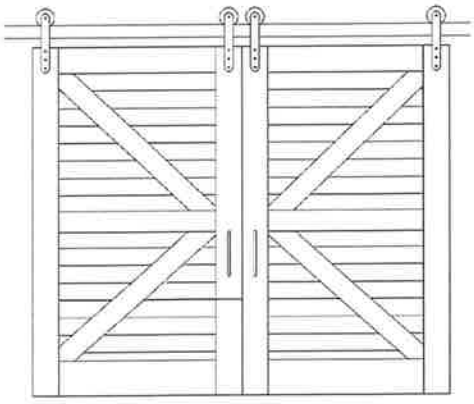
To achieve the modern farmhouse look, start with stark exterior contrasts such as bright white vertical siding with black accents. Black accents are commonly shown through window frames, doors, metal roofing, and barn style outdoor lighting that bring the modern design features to the forefront.

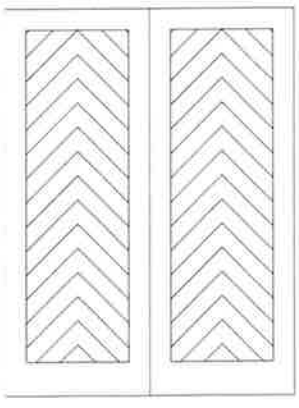
Typically large punched openings, with or without divided lites, vertical proportions for primary openings and allowances for more square proportions when used as clerestory or accent windows.

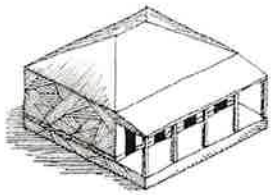
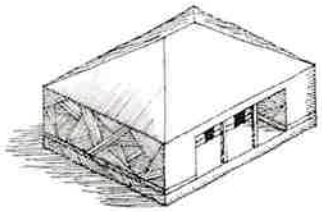


Solid body wood doors



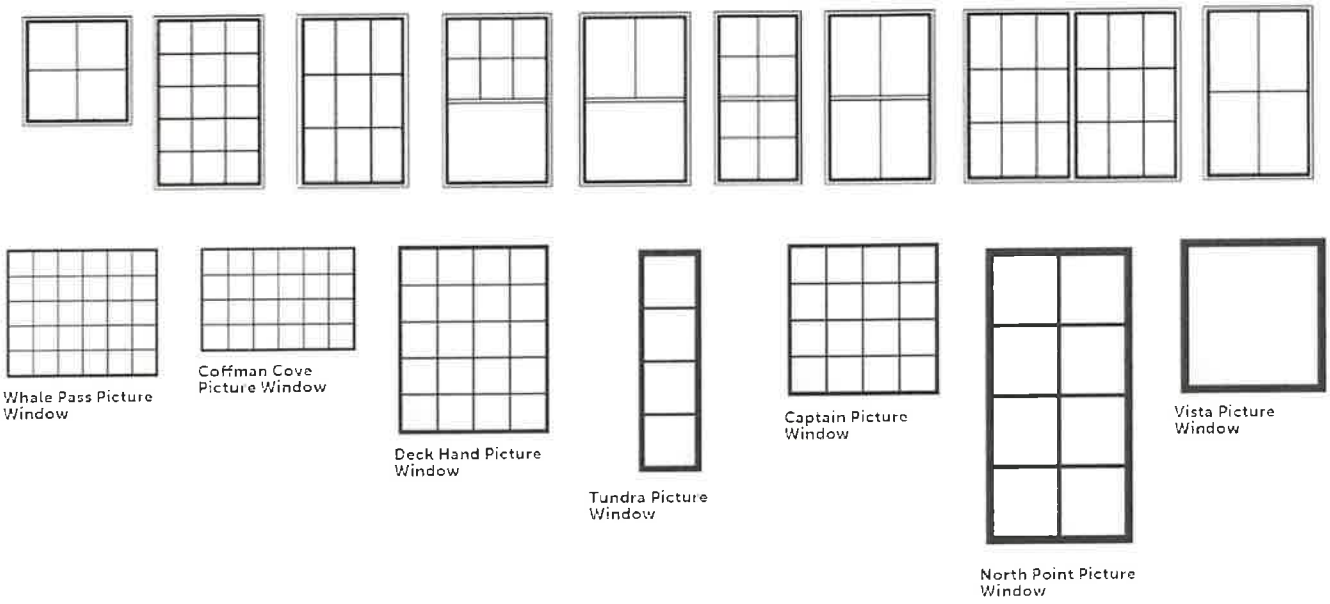




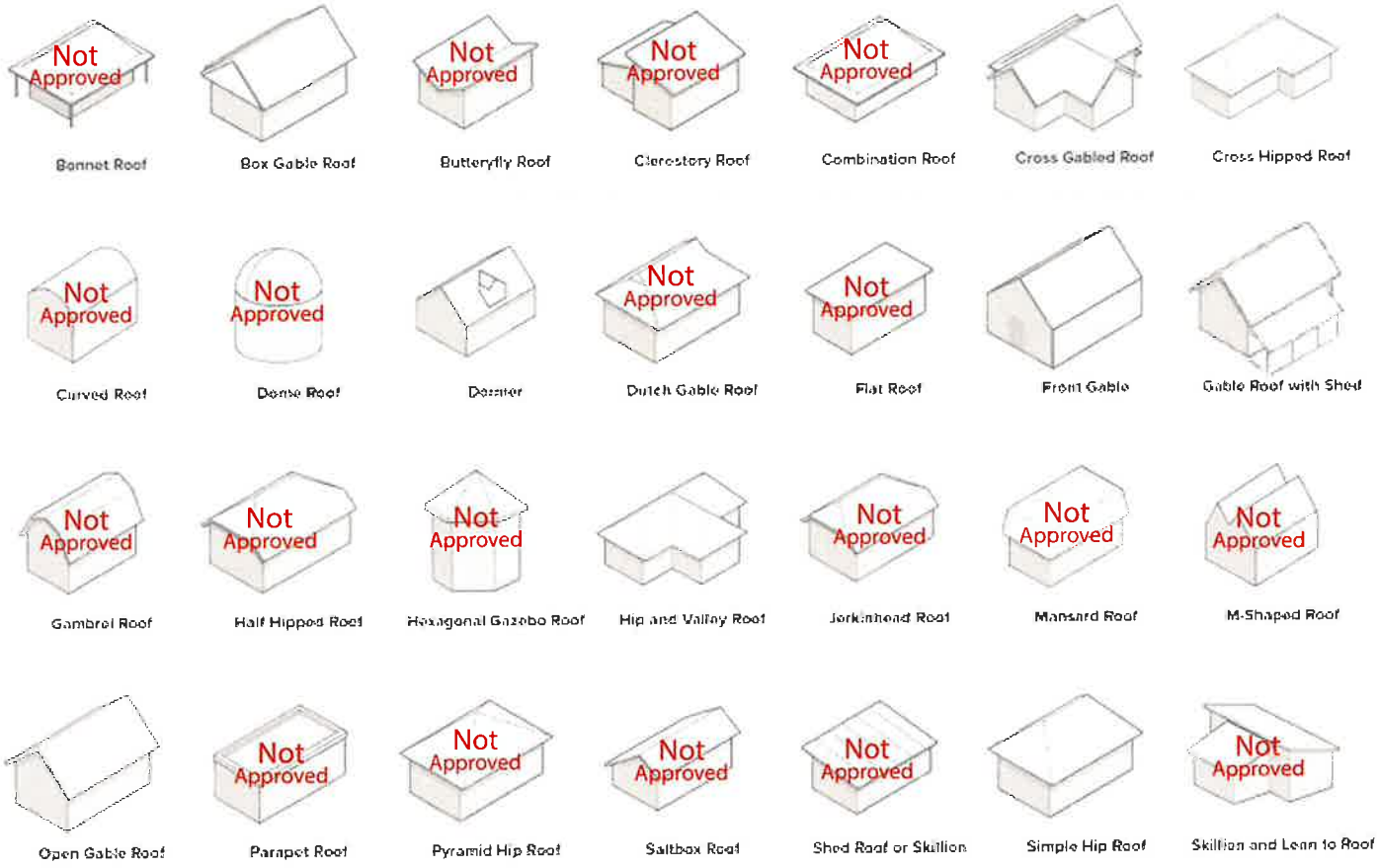



Modern Farmhouse - Windows

Typically dark bronze or black in color, with thin mutons and square or vertically proportioned divided lites. You can also have white windows with white body siding.



Roof Configurations - no mansard, pent, lean to, dome, or pitches below 12/12 allowed on primary roofs.



Materials - no asphalt shingle, spanish tile, concrete tile, slate or clay tile allowed. Metal roofs and wood shingles are allowed.

1. Wood Siding

Wood siding is an exterior building material or cladding installed on the building's exterior to protect it from different elements. It is one of the most sought-after siding materials for homeowners, especially in conventional architectures like farmhouses or cottages, because of its beautiful, natural appearance, durability, and relatively fair costs.

This type of siding is made of different woods with a wide range of species and grades. The most commonly used woods include cypress, redwood, cedar, fir, spruce, pine, oak, ash, engineered wood, and other trees.

Wood siding is also manufactured in various styles, such as Lap, Clapboard, Drop Channel, Board-and-Batten, Rectangular Planking, Tongue-and-Groove, Split Logs, Shingles and Shakes, Plywood, and Wood sheet.

With proper maintenance, a wood siding may last between 20 to 40 years. It's eco-friendly, easy to install and repair, and can be painted or stained to complement the farmhouse's design but needs regular high maintenance to prevent damages, such as cracks, peels, holes, warps, water seepage, and rots. It's also susceptible to color fading, moisture and mold buildup, and insect damage.

2. Composite Siding

Composite wood is an exterior siding made of scrap wood that's compressed and bonded together with resins. Treated with chemical treatments to ward of fungi and insects, composite often comes pre-primed and ready to paint. It's also available already finished with many styles that mimic real wood.

This type of siding comes in various colors, finishes, sizes, thicknesses, and profile options. It's also available in different styles, including Vertical siding, Horizontal siding, Shake And Shingle Siding, and Insulated Siding.

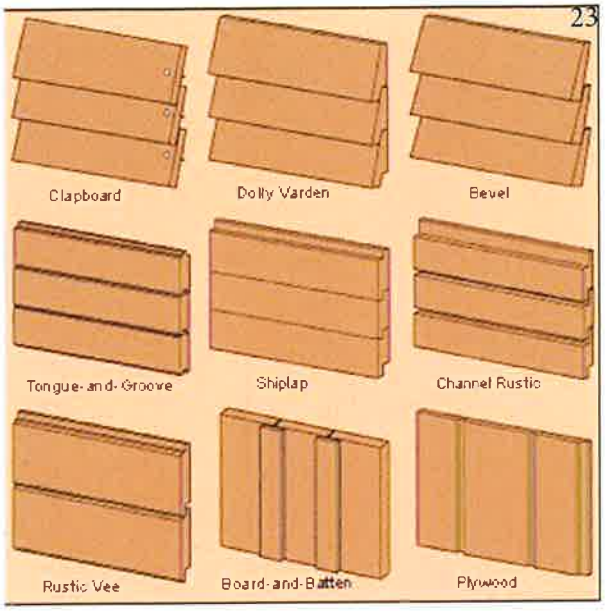
Depending on several external factors, vinyl siding typically lasts between 20 to 60 years. It's low maintenance, durable, and long-lasting as it weathers extreme elements and is resistant to rust, rot, decay, fire, and insects. However, vinyl siding is prone to dents, scratches, fading, and breakage.

3. Fiber Cement Siding

Fiber cement siding is another exterior building material or semi-rigid siding that's often used in residential houses for protection and enhancing the building's curb appeal. It's made of Portland cement, sand, water, and cellulose fibers or wood pulp into sheets. It's commonly used as an alternative for wood, vinyl, and metal siding.

This type of siding is available in various profiles, textures, and and styles and is manufactured in a plank format. In addition, Fiber cement siding can last up to 50 years because of its high durability and can withstand extreme weather conditions.

It's also resistant to fire, pests, rot, and mold and requires minimal maintenance. However, fiber cement siding tends to absorb moisture, is expensive and difficult to install, and is not energy-efficient.



Modern Farmhouse - Lighting

If you want the modern farmhouse style, matte black, bronze or copper wall-mounted barn lights are the perfect option. These come in varity of gooseneck and pendant mounting option. They give the feel of a rustic barn combined with the sleek metal you often find in contemporary design.

Popularized by American furniture manufacturer Gustav Stickley and the Greene brothers, craftsman-style houses first garnered attention in the late 1800's and early 1900's during the Arts and Craftsman Movement. The exterior of a Craftsman home typically features low-pitched roofs, overhanging eaves, heavy, tapered columns, patterned window panes and a covered front porch. They are often painted in muted earth tones and common materials range from brick and stone to stucco and wood siding. These houses showcases fine craftsmanship. Interiors have impressive custom millwork like built-in shelving, window seats, reading nooks, mixed metals, and a large fireplace.

Most Common House Type the Bungalow

- Bungalow - A small, usually one-story house, often having a low-pitched roof, having either no upper floor or upper rooms set in the roof with dormer windows, overhanging eaves, and a veranda (porch).

- The Bungalow house style of architecture is a single family house type whose popularity great in the western United States at the turn of the century. Bungalows offered low cost, simple living quarters with an artistic touch to many Americans getting by on modest means.

- The types of bungalows following that definition include the California or Western-style and the Arts & Crafts or Craftsman-style. Certain other subtypes are particularly distinctive and include the Swiss Chalet and Airplane bungalows. Often characteristics are a mashup of influences which contributes to the almost infinite variety of design details.

- While most often made of wood, bungalows incorporate local materials and vernacular building traditions.

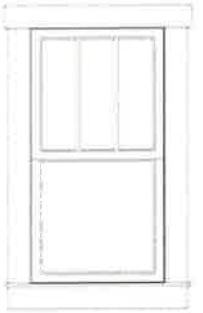
Key Exterior Elements:

a. Low pitched, gable roof (occasionally hipped) with wide uneclosed eave overhang
b. Exposed roof rafter tails
c. Simplified decorative beams or brackets under gables
d. One and half stories
e. Horizontal shape
f. Porch with thick square or tapered columns
g. Porch support bases extending to ground level
h. Wood, stone or stucco siding
i. Exterior stone chimney
j. Earth-tone exterior paint and stain colors
k. Ganged windows

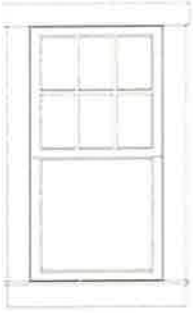
Exterior Materials:

1. Craftsman and Bungalow houses typically have a stone, stucco or brick masonry base with Precast or Concrete copings. At porches stone or masonry piers can be straight or tapered.
2. Siding materials are typical horizontal ship lap siding, stucco or wood cedar shakes.
3. Roofing: Asphalt shingles.
4. Chimeny Flues are typicaly stone, brick masonry veneer or a combination of stone and clinker brick called Peanut Brittle. Chimney flues typically taper or step but are simple forms with simple caps.

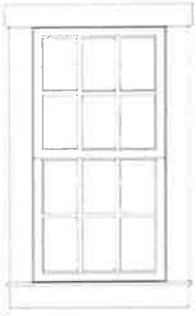
Exterior Windows:



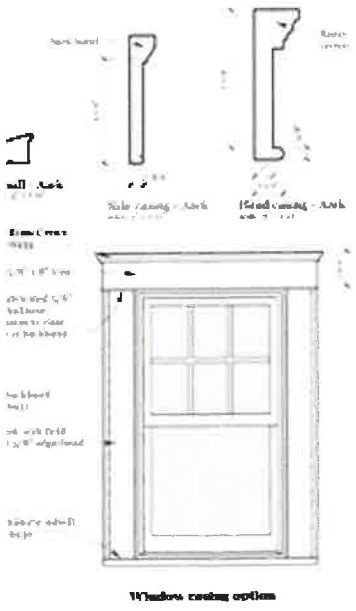
Double Hung- 3 over 1

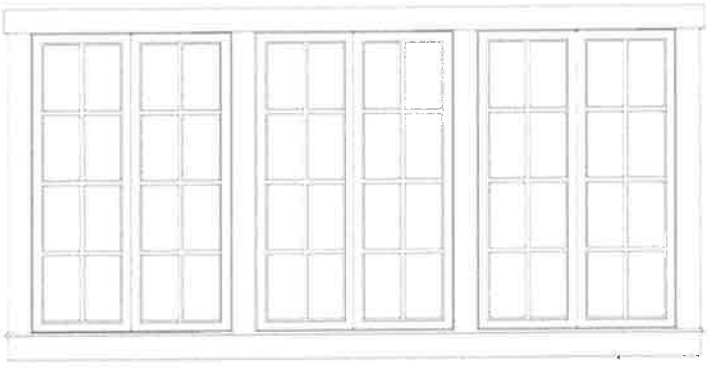


Double Hung- 6 over 1



Double Hung- 6 over 6

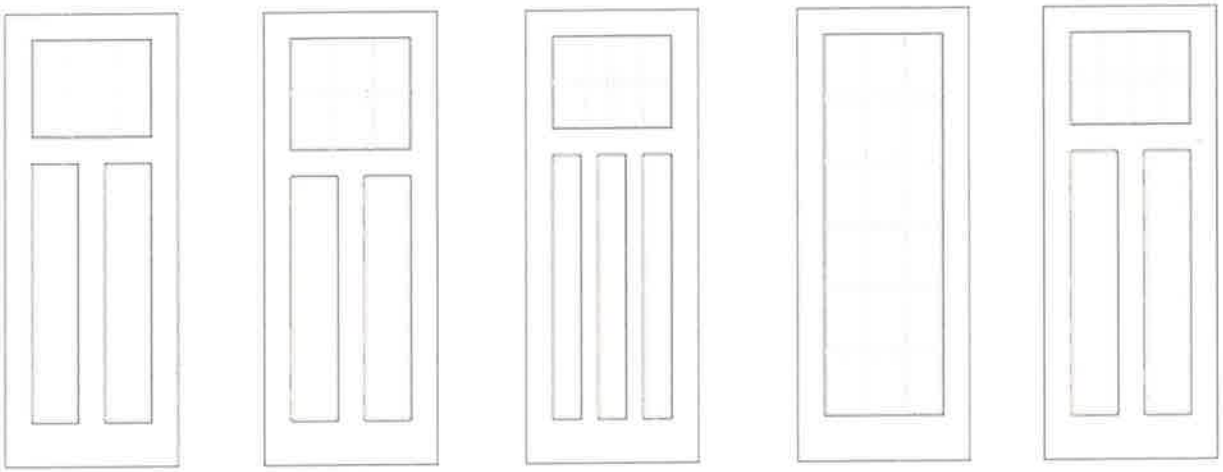




Ganged French Casement

Exterior Doors:

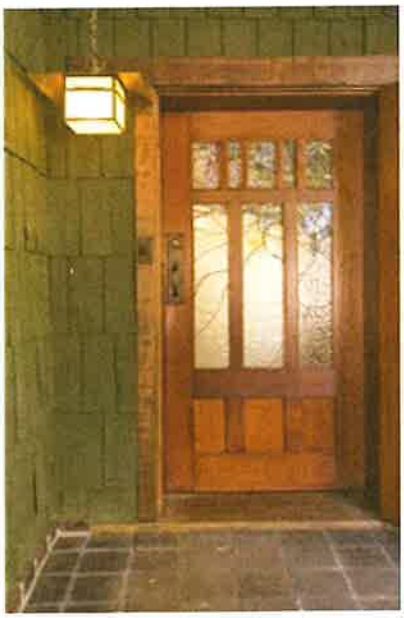
Typically dark bronze or black in color, with thin mutons and square or vertically proportioned divided lites. Doors to be made



Organic

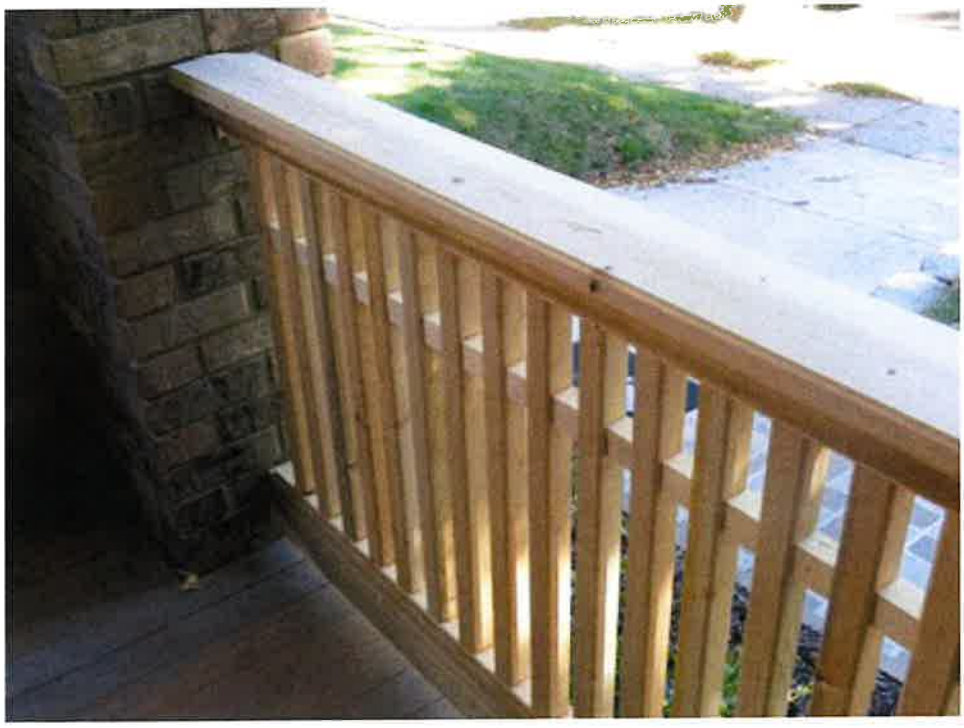
Median

Refined



Craftsman - Porches

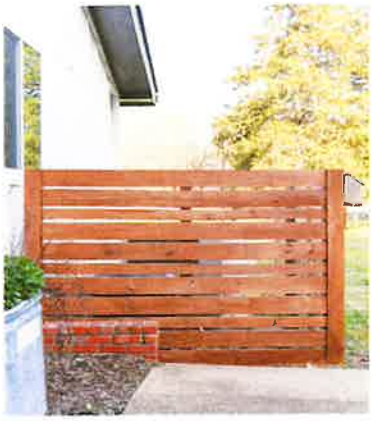
Craftsman - Railings



Fencing Screen Types - A/C Units

Metal

Wood



The pedestrian scale and unique character of the town center commercial area is key to its continued viability. The Town Center Commercial Building Typology known as Southern Mercantile provided in this section has been developed to maintain this pedestrian scale and unique architecture while allowing for a vibrant and exciting shopping experience unique to the area.

The Town Center Commercial Building Typology is low-scale (1 to 2 story) with engaging street-level storefronts. The massing, materials, and overall design of a commercial building is especially important on the front facade where a high level of pedestrian activity will take place. Town center commercial buildings shall address all the practical needs for the building occupants and its visitors. In a general view, the commercial building appearance is horizontal. It is a smaller scale 1 to 2 story building which can be expanded horizontally to accommodate more utilitarian building types such as restaurants, where large openings engage customers or for al fresco dining. Upon this practical need for visibility, the wonderful creativity of brickwork and wood trim satisfies the more ephemeral need for visual interest, distinction, and beauty. The following pages detail height, massing and orientation standards that govern the Town Center Commercial Buildings and to ensure quality and character.

SOUTHERN MERCANTILE FEATURES

1. Masonry wall construction
2. Flat roof with ornamented parapet
3. Brick and masonry detailing (i.e. corbeling, banding, arches, or decorative motifs)
4. Horizontal/vertical banding of post and lintel structure
5. Large glazed storefront on the street
6. Limestone accents
7. Applied bulkhead letters or a place for mural signage
8. Brick patterned panels, defined column base detailing

*Design should incorporate 4-sided architecture.

TRANSPARENCY & ENTRANCES

- Primary storefront facades shall include traditional facade elements including display windows and the building or stores primary entrance.
- Primary storefront facades shall have a transparency of 40% to 80% of the facade.
- Secondary storefront facades shall have a minimum transparency of 20%.
- Primary internal facades shall have a minimum transparency of 50%.
- Functional windows and openings such as transparent "garage doors" are encouraged for pedestrians on primary internal facades to provide a high level of interior and exterior interaction.
- Secondary internal facades shall have no minimum transparency requirement but are encouraged to incorporate faux openings with opaque glazing.
- Service entrances are encouraged on secondary internal facades with opaque glazing on doors or specialty design doors.
- All storefront glazing surfaces should have metal trim and be divided with mullions between a range of 12" x 18" to 18" x 24" in size.

SYMMETRY

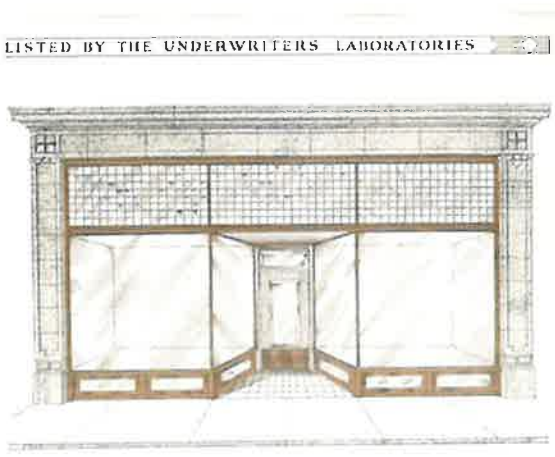
A town center commercial building shall have a structural order guided by the width of the overall building and its division into smaller bays. There is a freedom in the choice and the number of bays which are only limited by the practical requirements of the structure and the overall length of the property.

PROPORTION

A town center commercial building proportions are based upon and generated from very simple formulas and are very responsive to utilitarian necessities (structural spans, column heights, etc). Wall opening dimensions need to honor standard masonry unit sizes, minimizing awkward material cuts and misaligned openings. Building corners should maintain a 24" solid surface before the introduction of any glazing to better 'carry' the building. The overall goal of the style should be an appearance of solid simplicity.

FLAT ROOF MASSING

Building shall be 1 to 2 stories (Maximum height of 28' for single story) Parapets must extend a minimum of 5' above the top of the roof structure to ensure that all rooftop equipment is hidden from public view. Parapets must occur within the maximum building height. Buildings are not required to have a cornice/eaves line distinct from the top of the parapet.All rooftop equipment shall fall within the permissible roof heights, be located away from the building edge or areas exposed to the public street, and otherwise be screened from view from adjacent public streets or be incorporated into the skin of the building or internal to the block. Access to rooftop equipment shall be internal to the building. Conduits and other external service equipment shall be painted to match the color of the building.



ROOFTOP AMENITIES

Rooftop amenities are encouraged in the commercial area.

Railings and or parapets shall enclose rooftop amenities.

Railings visible from the street shall be of a transparent or majority-open design such as glass, cabling, picket, or other similar types of railings.

Rooftop amenities shall be architecturally integrated to the building, and its materials and colors shall be compatible with the building design.

The height of the rooftop amenity shall not exceed 15 ' or the height of the story immediately below the rooftop.

BAY RHYTHMS

Differentiated bays should be expressed on each facade of a building or store space directly fronting a public space or street.

Bays shall be a minimum of 20' and a maximum of 30' wide on primary storefront facades.

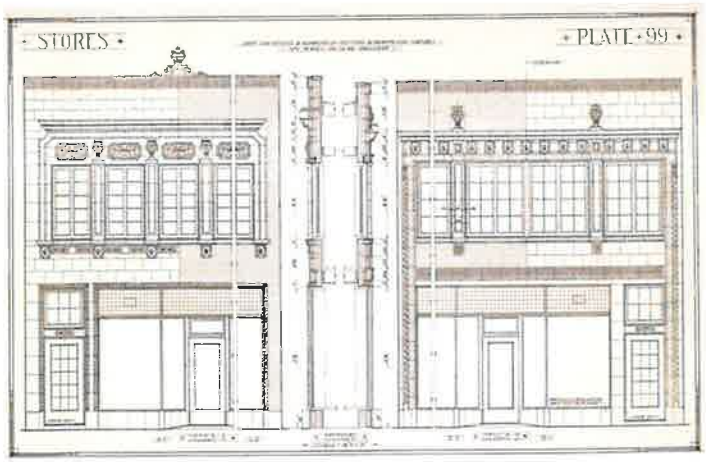
FACADE MATERIALS

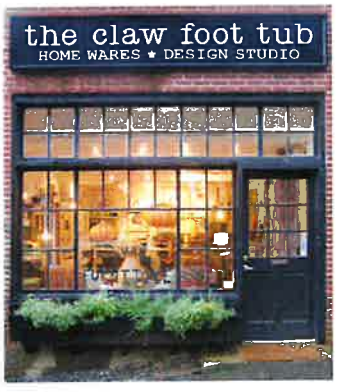
Wall materials: brick (including washed and painted), stone, stucco

Trim/accent materials: brick, cast stone, wood

Wall material percentages for overall building:

Brick: 80-100%
Stone: up to 80-100%
Stucco: up to 80-100%





AWNINGS

Awnings can range from flat metal planes held out from the wall surface by links or chains to soft, striped, curved canopies that move in the breeze. There are no hard and fast typical rules for such a variety of design possibilities, hard or soft, shallow or deep, low or high pitch, sign or no sign, but the awning should relate to and enhance to overall building composition. Once awnings fade or split from age/elements they must be replaced.

SIGNAGE

Primary storefront facades shall be limited to a total of three signs: one primary sign (a flush-mounted sign, an awning sign, or a painted sign) and two secondary signs not to exceed one blade sign and one window sign.

Secondary storefront facades that do not occupy a business's primary entrance shall be limited to two signs.

Flush-mounted signs on a secondary business that do not occupy a business's primary entrance are prohibited on secondary facades.

Painted signage on secondary storefront facades is encouraged.

Pedestrian signs should be a primary form of signage. Window signage and blade signage are considered pedestrian signs.

Window signage shall cover no more than 60% of a storefront window.

Blade signs shall not exceed 3'x3', the lowest portion of the sign must be located a minimum of 7 ' above the finished grade immediately below it.

Signage size maximums for flush-mounted and awning signage are 8' x 2'.

Signage size maximums for painted signs are 10' x 4'.

Painted signage and/or bold lettering mounted (or stenciled) onto friezes and/or head casing of storefronts, as well as painted lettering on awnings over entrances and storefront glass, should be the most common types of primary storefront facade signage.

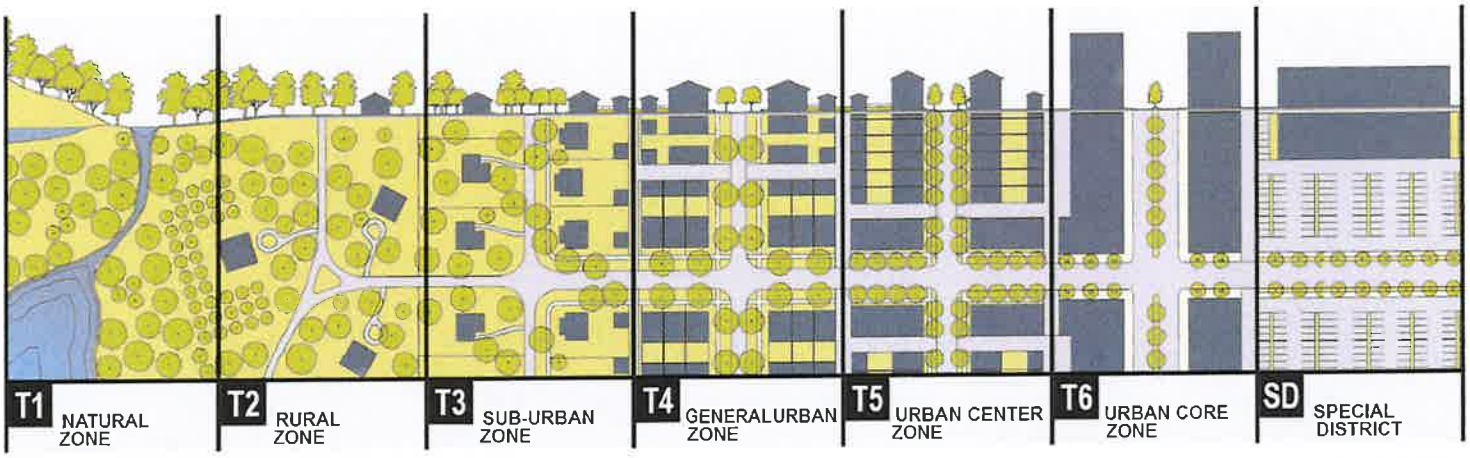
Pole or landmark signage is not permitted.

No signs shall have backlighting or contain internal illumination, but instead should be down or up lit, or contain backlit lettering.

Modest door signage does not count as a business' window signage.

Signage shall be constructed only using material that complements the building and the district. Materials should consist of one or more of the following: wood, steel, aluminum, wrought iron, and/or metal grill work.

Prohibited signs and signage elements include, poll, billboard, digital, banner, roof mounted, changeable type, vinyl, and backlit signage.



General to T2, T3, T4, T5, T6 - No additional signage will be permitted to these sections. The address number, no more that 6" vertical shall be attached to the building in proximity to the principal entrance or at a mailbox. Specific to T2, T3 - Signage shall not be illuminated. Specific to T4, T5, T6 - Signage shall be externally illuminated, except that signage within the shopfront glazing. Specific T2, T3, T4 - One blade sign for each business may be permantly installed perpendicular to the facade with in the first layer. Such a sign shall not exceed a total of 4 square feet and shall clear 8 feet above the sidewalk. Specific to T5, T6 - Blade signs, not to exceed 6 square feet for each seperate business entrance, may be attached to and should be perpendicular to the facade, and shall clear 8 feel above the sidewalk. A single external permanent sign band may be applied to the facade of each building, providing that such sign not exceed 3 feet in height by any length.

Southern Mercantile - SIGNAGE TYPES

Sign Type Description	Illustration
Awning Sign: A sign that is part of or attached to the front face of an awning attached to a building	
Band Sign: A sign that is flat against the facade and placed directly above a ground floor main entrance of a retail storefront/ tenant space and runs horizontally	
Canopy Sign: A sign that is attached to the front face of a canopy attached to a building	
Convenience Sign: A small, ground mounted sign for pedestrian and vehicular circulation within a site	
Development Entrance Sign: A ground mounted sign located at the entrance to a development, typically associated with subdivisions	
Monument Sign: A ground mounted sign that is placed upon or supported by the ground and independent of any other structure	
Sandwich Board Sign: A pair of advertisement boards connected at the top by straps or hinge designed to be placed on the sidewalk in front of the retail storefront/tenant space	
Small Hanging/Projecting Sign: A small sign that either hangs from beams, brackets, or poles or that projects from poles or brackets from the building	
Sports Field/Sports Court Sign: A sign that is attached to a sports field or sports court fence	
Vertical Blade Sign: A vertically oriented sign that projects from a commercial/ mixed use building that is two or more stories and fronts a street intersection	
Wall Sign: A sign that is flat against the building facade and mounted or applied directly to the building	

Temporary Construction Site Sign: A sign on an active construction site intended for temporary use during the construction period. Permitted in all districts.

Temporary Sign: A sign intended for temporary use other then temporary construction site signs and campaign signs. Permitted in all districts.

Lighting fixtures shall be on primary facades throughout Prospect Park.

Lighting fixtures' appearance shall be relative to the merchantile style lighting types/appearance.

The light fixtures shall be thoughtfully placed so as not to detract from the architecture but enhance the massing and details of the varied facade elements.

Freestanding lighting shall have a coordinated design, and all shall be treated as a coordinated system. Such as Bevelo gas lanterns or gooseneck lighting.

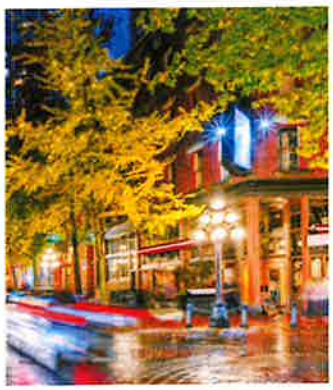
When fixtures are replaced or updated, they shall continue to complement the collective lighting design.
With the exception of lights used to highlight architecture or other subjects, light should not be directed above head height.

All outdoor string lights shall be Edison-style. String lighting should be thoughtfully fixed to vertical structures in a way that complements architectural features. String lighting should be included in site and architectural plans for design review.

Parking Lot/Open Area Lighting

Parking lots with 50 or fewer spaces and open area requiring lighting for general purposes shall have light poles that do not exceed 10' overall height. Parking lots having more that 50 spaces shall have light poles that do not exceed 15' overall height. Luminaries of a sharp cutt off design to shield light source above 72 degrees from vertical and providing 1.0 average maintained foor-candles with the following uniformity ratios: 3:1 avg/min* (.33 FC min.), 12:1 max/min* (4.0 FC min) are required in all cases. Public facilites such as lighted ball fields are excluded. A photometric grid shall be furnished by developer at time of building permit application.

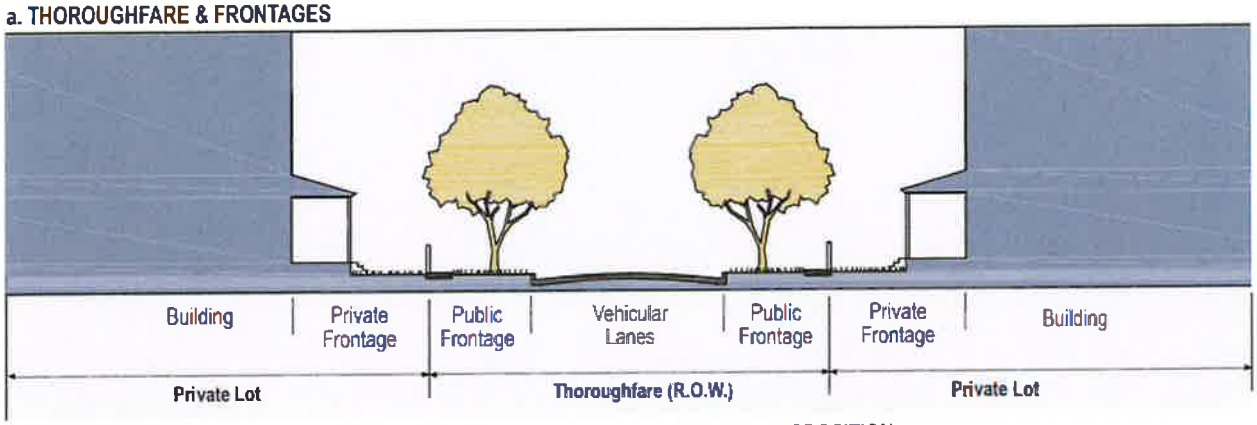
*maximum or minimum foot-candle level at any point lighted area.



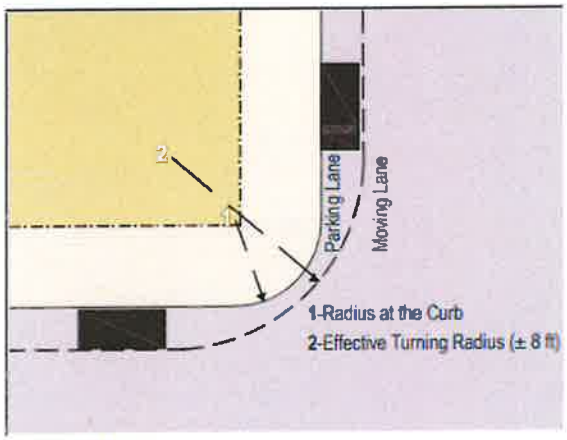
K. Definitions

TABLE 17. DEFINITIONS ILLUSTRATED

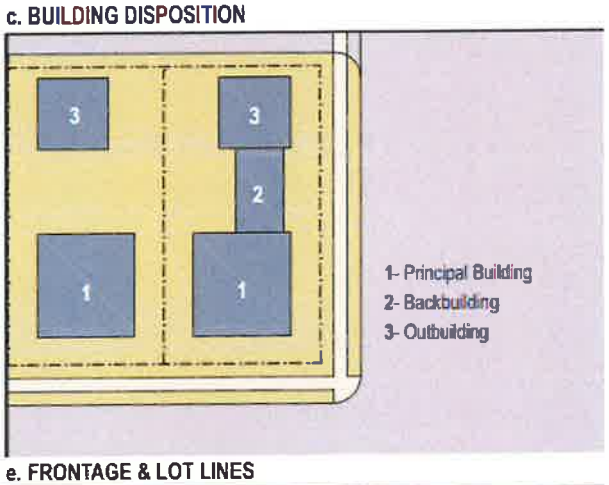
a. THOROUGHFARE & FRONTAGES



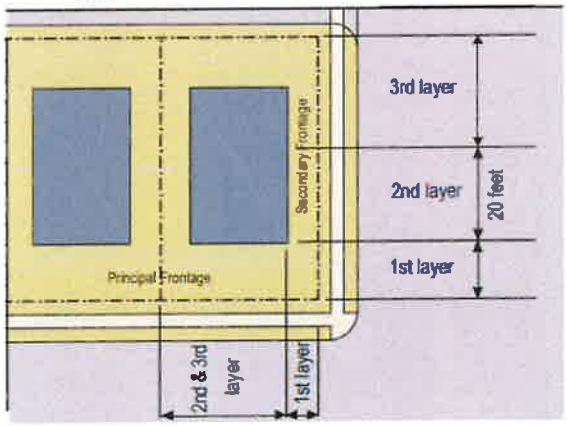
b. TURNING RADIUS



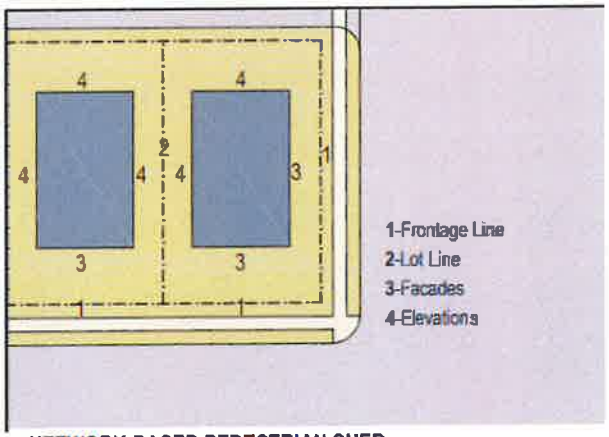
c. BUILDING DISPOSITION



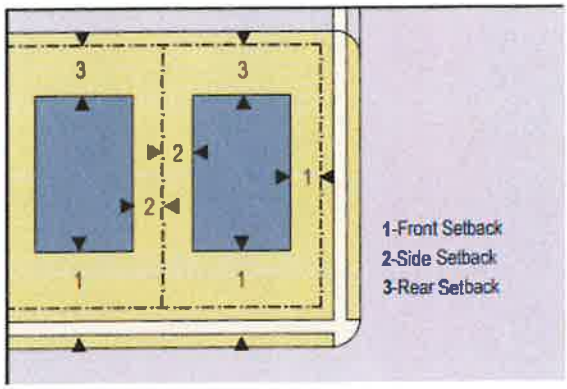
d. LOT LAYERS



e. FRONTAGE & LOT LINES



f. SETBACK DESIGNATIONS



g. NETWORK-BASED PEDESTRIAN SHED

DEFINITIONS

This Article provides definitions for terms in this Code that are technical in nature or that otherwise may not reflect a common usage of the term. If a term is not defined in this Article, then the CRC shall determine the correct definition. Items in italics refer to Articles, Sections, or Tables in the SmartCode.

Accessory Building: an Outbuilding with an Accessory Unit.
Accessory Unit: an Apartment not greater than 440 square feet sharing ownership and utility connections with a Principal Building; it may or may not be within an Outbuilding. See Table 10 and Table 17. (Syn: ancillary unit)
Allee: a regularly spaced and aligned row of trees usually planted along a Thoroughfare or Path.
Apartment: a Residential unit sharing a building and a Lot with other units and/or uses; may be for rent, or for sale as a condominium.
Arcade: a Private Frontage conventional for Retail use wherein the Facade is a colonnade supporting habitable space that overlaps the Sidewalk, while the Facade at Sidewalk level remains at the Frontage Line.
Attic: the interior part of a building contained within a pitched roof structure.
Avenue (AV): a Thoroughfare of high vehicular capacity and low to moderate speed, acting as a short distance connector between urban centers, and usually equipped with a landscaped median.
Base Density: the number of dwelling units per acre before adjustment for other Functions and/or TDR. See Density.
Bed and Breakfast: an owner-occupied Lodging type offering 1 to 5 bedrooms, permitted to serve breakfast in the mornings to guests.
Bicycle Lane (BL): a dedicated lane for cycling within a moderate-speed vehicular Thoroughfare, demarcated by striping.
Bicycle Trail (BT): a bicycle way running independently of a vehicular Thoroughfare.
Block: the aggregate of private Lots, Passages, Rear Alleys and Rear Lanes, circumscribed by Thoroughfares.
Block Face: the aggregate of all the building Facades on one side of a Block.
Boulevard (BV): a Thoroughfare designed for high vehicular capacity and moderate speed, traversing an Urbanized area. Boulevards are usually equipped with Slip Roads buffering Sidewalks and buildings.
Brownfield: an area previously used primarily as an industrial site.
By Right: characterizing a proposal or component of a proposal for a Community Plan or Building Scale Plan (Article 3, Article 4, or Article 5) that complies with the SmartCode and is permitted and processed administratively, without public hearing. See Warrant and Variance.
Civic Building: a building operated by not-for-profit organizations dedicated to arts, culture, education, recreation, government, transit, and municipal parking, or for use approved by the legislative body.
Civic Space: an outdoor area dedicated for public use. Civic Space types are defined by the combination of certain physical constants including the relationships among their intended use, their size, their landscaping and their Enfronting buildings. See Table 13.
Civic Zone: designation for public sites dedicated for Civic Buildings and Civic Space.
Commercial: the term collectively defining workplace, Office, Retail, and Lodging Functions.
Common Destination: An area of focused community activity, usually defining the approximate center of a Pedestrian Shed. It may include without limitation one or more of the following: a Civic Space, a Civic Building, a Commercial center, or a transit station, and may act as the social center of a neighborhood.
Common Yard: a planted Private Frontage wherein the Facade is set back from the Frontage line. It is visually continuous with adjacent yards.

Configuration: the form of a building, based on its massing, Private Frontage, and height.
Corridor: a lineal geographic system incorporating transportation and/or Greenway trajectories. A transportation Corridor may be a lineal Transect Zone.
Cottage: an Edgeyard building type. A single-family dwelling, on a regular Lot, often shared with an Accessory Building in the back yard.
Courtyard Building: a building that occupies the boundaries of its Lot while internally defining one or more private patios.
Curb: the edge of the vehicular pavement that may be raised or flush to a Swale. It usually incorporates the drainage system.
Density: the number of dwelling units within a standard measure of land area.
Design Speed: is the velocity at which a Thoroughfare tends to be driven without the constraints of signage or enforcement. There are four ranges of speed: Very **Low:** (below 20 MPH); Low: (20-25 MPH); Moderate: (25-35 MPH); High: (above 35 MPH). Lane width is determined by desired Design Speed. See Table 3A.
Developable Areas: lands other than those in the O-1 Preserved Open Sector.
Disposition: the placement of a building on its Lot. See Table 9 and Table 17.
Dooryard: a Private Frontage type with a shallow Setback and front garden or patio, usually with a low wall at the Frontage Line. See Table 7. (Variant: Lightwell, light court.)
Drive: a Thoroughfare along the boundary between an Urbanized and a natural condition, usually along a waterfront, Park, or promontory. One side has the urban character of a Thoroughfare, with Sidewalk and building, while the other has the qualities of a Road or parkway, with naturalistic planting and rural details.
Driveway: a vehicular lane within a Lot, often leading to a garage. See Section 5.10 and Table 3B-f.
Edgeyard Building: a building that occupies the center of its Lot with Setbacks on all sides. See Table 9.
Effective Parking: the amount of parking required for Mixed Use after adjustment by the Shared Parking Factor. See Table 11.
Effective Turning Radius: the measurement of the inside Turning Radius taking parked cars into account. See Table 17.
Elevation: an exterior wall of a building not along a Frontage Line. See Table 17.
See: Facade. ncroach: to break the plane of a vertical or horizontal regulatory limit with a structural element, so that it extends into a Setback, into the Public Frontage, or above a height limit.
Encroachment: any structural element that breaks the plane of a vertical or horizontal regulatory limit, extending into a Setback, into the Public Frontage, or above a height limit.
Enfront: to place an element along a Frontage, as in "porches Enfront the street."
Estate House: an Edgeyard building type. A single-family dwelling on a very large Lot of rural character, often shared by one or more Accessory Buildings. (Syn: country house, villa)
Expression Line: a line prescribed at a certain level of a building for the major part of the width of a Facade, expressed by a variation in material or by a limited projection such as a molding or balcony. See Table 8. (Syn: transition line.)
Extension Line: a line prescribed at a certain level of a building for the major part of the width of a Facade, regulating the maximum height for an Encroachment by an Arcade Frontage. See Table 8.
Facade: the exterior wall of a building that is set along a Frontage Line. See Elevation.
Forecourt: a Private Frontage wherein a portion of the Facade is close to the Frontage Line and the central portion is set back. See Table 7.

Frontage: the area between a building Facade and the vehicular lanes, inclusive of its built and planted components. Frontage is divided into Private Frontage and Public Frontage. See Table 4A and Table 7.
Frontage Line: a Lot line bordering a Public Frontage. Facades facing Frontage Lines define the public realm and are therefore more regulated than the Elevations facing other Lot Lines. See Table 17.
Function: the use or uses accommodated by a building and its Lot, categorized as Restricted, Limited, or Open, according to the intensity of the use. See Table 10 and Table 12.
Gallery: a Private Frontage conventional for Retail use wherein the Facade is aligned close to the Frontage Line with an attached cantilevered shed or lightweight colonnade overlapping the Sidewalk. See Table 7.
GIS (Geographic Information System): a computerized program in widespread municipal use that organizes data on maps.The protocol for preparing a Regional Plan should be based on GIS information. See Section 2.1.
Green: a Civic Space type for unstructured recreation, spatially defined by landscaping rather than building Frontages. See Table 13.
Greenfield: an area that consists of open or wooded land or farmland that has not been previously developed.
Greenway: an Open Space Corridor in largely natural conditions which may include trails for bicycles and pedestrians.
Greyfield: an area previously used primarily as a parking lot. Shopping centers and shopping malls are typical Greyfield sites. (Variant: Grayfield.)
Growth Sector: one of four Sectors where development is permitted By Right in the SmartCode, three for New Communities and one for Infill.
Home Occupation: non-Retail Commercial enterprises. The work quarters should be invisible from the Frontage, located either within the house or in an Outbuilding. Permitted activities are defined by the Restricted Office category. See Table 10.
House: an Edgeyard building type, usually a single-family dwelling on a large Lot, often shared with an Accessory Building in the back yard. (Syn: single.)
Infill: noun - new development on land that had been previously developed, including most Greyfield and Brownfield sites and cleared land within Urbanized areas.
verb- to develop such areas.
Inn: a Lodging type, owner-occupied, offering 6 to 12 bedrooms, permitted to serve breakfast in the mornings to guests. See Table 10.
Layer: a range of depth of a Lot within which certain elements are permitted. See Table 17.
Lightwell: A Private Frontage type that is a below-grade entrance or recess designed to allow light into basements. See Table 7. (Syn: light court.)
Liner Building: a building specifically designed to mask a parking lot or a Parking Structure from a Frontage.
Live-Work: a Mixed Use unit consisting of a Commercial and Residential Function. The Commercial Function may be anywhere in the unit. It is intended to be occupied by a business operator who lives in the same structure that contains the Commercial activity or industry. See Work-Live. (Syn.: flexhouse.)
Lodging: premises available for daily and weekly renting of bedrooms. See Table 10 and Table 12.
Lot: a parcel of land accommodating a building or buildings of unified design. The size of a Lot is controlled by its width in order to determine the grain (i.e., fine grain or coarse grain) of the urban fabric.
Lot Line: the boundary that legally and geometrically demarcates a Lot.
Lot Width: the length of the Principal Frontage Line of a Lot.
Main Civic Space: the primary outdoor gathering place for a community.The Main Civic Space is often, but not always, associated with an important Civic Building.
Meeting Hall: a building available for gatherings, including conferences, that accommodates at least one room equivalent to a minimum of 10 square feet per projected dwelling unit within the Pedestrian Shed in which it is located.

Mixed Use: multiple Functions within the same building through superimposition or adjacency.
Mixed Use Block: multiple Functions within the same block through superimposition or by adjacency, or at a proximity determined by Warrant.

Net Site Area: all developable land within a site including Thoroughfares but excluding land allocated as Civic Zones.
Office: premises available for the transaction of general business but excluding Retail, artisanal and Manufacturing uses.
Open Space: land intended to remain undeveloped; it may be for Civic Space.
Park: a Civic Space type that is a natural preserve available for unstructured recreation. See Table 13.
Parking Structure: a building containing one or more Stories of parking above grade.
Passage (PS): a pedestrian connector, open or roofed, that passes between buildings to provide shortcuts through long Blocks and connect rear parking areas to Frontages.
Path (PT): a pedestrian way traversing a Park or rural area, with landscape matching the contiguous Open Space, ideally connecting directly with the urban Sidewalk network.
Planter: the element of the Public Frontage which accommodates street trees, whether continuous or individual.
Plaza: a Civic Space type designed for Civic purposes and Commercial activities in the more urban Transect Zones, generally paved and spatially defined by building Frontages.
Principal Building: the main building on a Lot, usually located toward the Frontage. See Table 17.
Principal Entrance: the main point of access for pedestrians into a building.
Principal Frontage: On corner Lots, the Private Frontage designated to bear the address and Principal Entrance to the building, and the measure of minimum Lot width. Prescriptions for the parking Layers pertain only to the Principal Frontage. Prescriptions for the first Layer pertain to both Frontages of a corner Lot. See Frontage.
Private Frontage: the privately held Layer between the Frontage Line and the Principal Building Facade. See Table 7 and Table 17.
Public Frontage: the area between the Curb of the vehicular lanes and the Frontage Line.
Rear Alley (RA): a vehicular way located to the rear of Lots providing access to service areas, parking, and Outbuildings and containing utility easements. Rear Alleys should be paved from building face to building face, with drainage by inverted crown at the center or with roll Curbs at the edges.
Rear Lane (RL): a vehicular way located to the rear of Lots providing access to service areas, parking, and Outbuildings and containing utility easements. Rear Lanes may be paved lightly to Driveway standards. The streetscape consists of gravel or landscaped edges, has no raised Curb, and is drained by percolation.
Rearyard Building: a building that occupies the full Frontage Line, leaving the rear of the Lot as the sole yard. See Table 9. (Var: Rowhouse, Townhouse, Apartment House)
Recess Line: a line prescribed for the full width of a Facade, above which there is a Stepback of a minimum distance, such that the height to this line (not the overall building height) effectively defines the enclosure of the Enfronting public space.
Var: A Line.
Regulating Plan: a Zoning Map or set of maps that shows the Transect Zones, Civic Zones, Special Districts if any, and Special Requirements if any, of areas subject to, or potentially subject to, regulation by the SmartCode.

Residential: characterizing premises available for long-term human dwelling.
Retail: characterizing premises available for the sale of merchandise and food service. See Table 10 and Table 12.
Retail Frontage: Frontage designated on a Regulating Plan that requires or recommends the provision of a Shopfront, encouraging the ground level to be available for Retail use. See Special Requirements.
Road (RD): a local, rural and suburban Thoroughfare of low-to-moderate vehicular speed and capacity. This type is allocated to the more rural Transect Zones (T1-T3).
Rowhouse: a single-family dwelling that shares a party wall with another of the same type and occupies the full Frontage Line. See Rearyard Building. (Syn: Townhouse)
Secondary Frontage: on corner Lots, the Private Frontage that is not the Principal Frontage. As it affects the public realm, its First Layer is regulated. See Table 17.
Setback: the area of a Lot measured from the Lot line to a building Facade or Elevation that is maintained clear of permanent structures, with the exception of Encroachments listed in Section 5.7. See Table 14g. (Var: build-to-line.)
Shared Parking Factor: an accounting for parking spaces that are available to more than one Function. See Table 11.
Shopfront: a Private Frontage conventional for Retail use, with substantial glazing and an awning, wherein the Facade is aligned close to the Frontage Line with the building entrance at Sidewalk grade. See Table 7.
Sidewalk: the paved section of the Public Frontage dedicated exclusively to pedestrian activity.
Sideyard Building: a building that occupies one side of the Lot with a Setback on the other side. This type can be a Single or Twin depending on whether it abuts the neighboring house.
Square: a Civic Space type designed for unstructured recreation and Civic purposes, spatially defined by building Frontages and consisting of Paths, lawns and trees, formally disposed. See Table 13.
Stepback: a building Setback of a specified distance that occurs at a prescribed number of Stories above the ground. See Table 8.
Stoop: a Private Frontage wherein the Facade is aligned close to the Frontage Line with the first Story elevated from the Sidewalk for privacy, with an exterior stair and landing at the entrance. See Table 7.
Story: a habitable level within a building, excluding an Attic or raised basement. See Table 8.
Street (ST): a local urban Thoroughfare of low speed and capacity. See Table 3B and Table 4B.
Streetscreen: a freestanding wall built along the Frontage Line, or coplanar with the Facade. It may mask a parking lot from the Thoroughfare, provide privacy to a side yard, and/or strengthen the spatial definition of the public realm. (Syn: streetwall.) See Section 5.7.5f.
Substantial Modification: alteration to a building that is valued at more than 50% of the replacement cost of the entire building, if new.
Swale: a low or slightly depressed natural area for drainage.
T-zone: Transect Zone.
TND: Traditional Neighborhood Development, a Community Unit type structured by a Standard Pedestrian Shed oriented toward a Common Destination consisting of a Mixed Use center or Corridor, and in the form of a medium-sized settlement near a transportation route. See Table 2 and Table 14a. (Syn: village. Variant: Infill TND, neighborhood.)
TOD: Transit Oriented Development. TO D is created by an overlay on all or part of a TND or RCD, or by designation on a Regional Plan, permitting increased Density to support rail or Bus Rapid Transit (BRT) as set forth in Section 5.9.2d.
Townhouse: See Rearyard Building. (Syn: Rowhouse)

Transect: a cross-section of the environment showing a range of different habitats. The rural-urban Transect of the human environment used in the SmartCode template is divided into six Transect Zones. These zones describe the physical form and character of a place, according to the Density and intensity of its land use and Urbanism.

Transect Zone (T-zone): One of several areas on a Zoning Map regulated by the SmartCode. Transect Zones are administratively similar to the land use zones in conventional codes, except that in addition to the usual building use, Density, height, and Setback requirements, other elements of the intended habitat are integrated, including those of the private Lot and building and Public Frontage. See Table 1.

Turning Radius: the curved edge of a Thoroughfare at an intersection, measured at the inside edge of the vehicular tracking. The smaller the Turning Radius, the smaller the pedestrian crossing distance and the more slowly the vehicle is forced to make the turn.

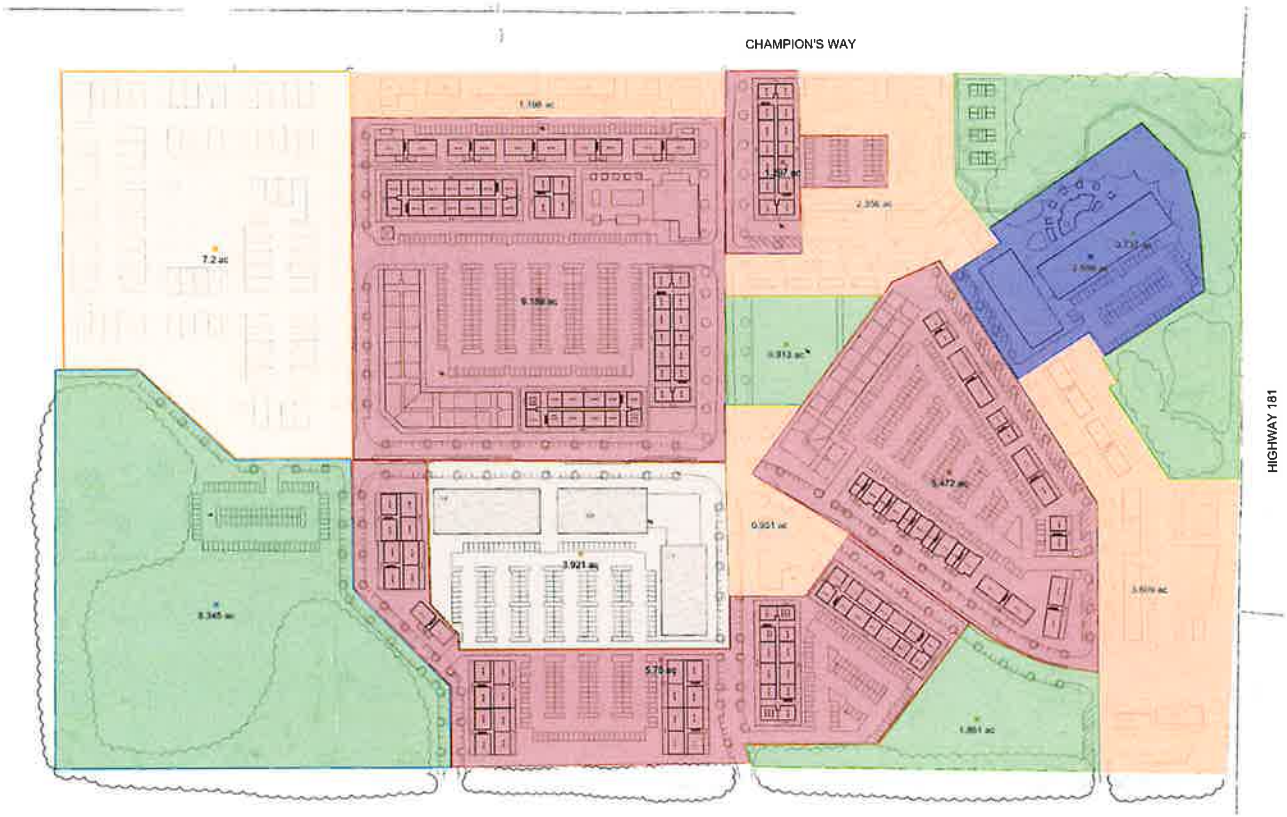
Urbanism: collective term for the condition of a compact, Mixed Use settlement, including the physical form of its development and its environmental, functional, economic, and sociocultural aspects.

Warrant: a ruling that would permit a practice that is not consistent with a specific provision of this Code, but that is justified by its Intent (Section 1.3). Warrants are usually granted administratively by the CRC. See Section 1.5.

Work-Live: a Mixed Use unit consisting of a Commercial and Residential Function. It typically has a substantial Commercial component that may accommodate employees and walk-in trade. The unit is intended to function predominantly as work space with incidental Residential accommodations that meet basic habitability requirements. See Live-Work. (Syn: Live-With.)

Yield: characterizing a Thoroughfare that has two-way traffic but only one effective travel lane because of parked cars, necessitating slow movement and driver negotiation. Also, characterizing parking on such a Thoroughfare.

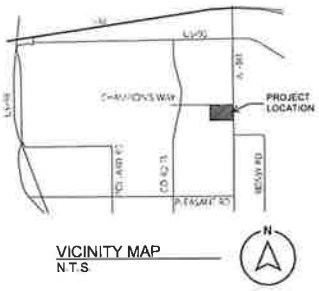
Zoning Map: the official map or maps that are part of the zoning ordinance and delineate the boundaries of individual zones and districts. See Regulating Plan.



SITE LEGEND

- OPEN SPACE
- COMMERCIAL
- MULTI-FAMILY
- SINGLE-FAMILY ATTACHED
- HOTEL
- CORPORATE OFFICE

PROSPECT PARK LAND USE MAP
SCALE 1" = 100'-0"



VICINITY MAP
N.T.S.

NEQUETTE
ARCHITECTURE & DESIGN

68Ventures

PROSPECT PARK OPEN SPACE PLAN
SCALE 1" = 100'-0"

SITE LEGEND

- EXISTING MATURE TREE CANOPY
- AMENITY AREA
- OPEN SPACE
- COMMON GREEN
- TREE-LINED STREETS

VICINITY MAP
N.T.S.

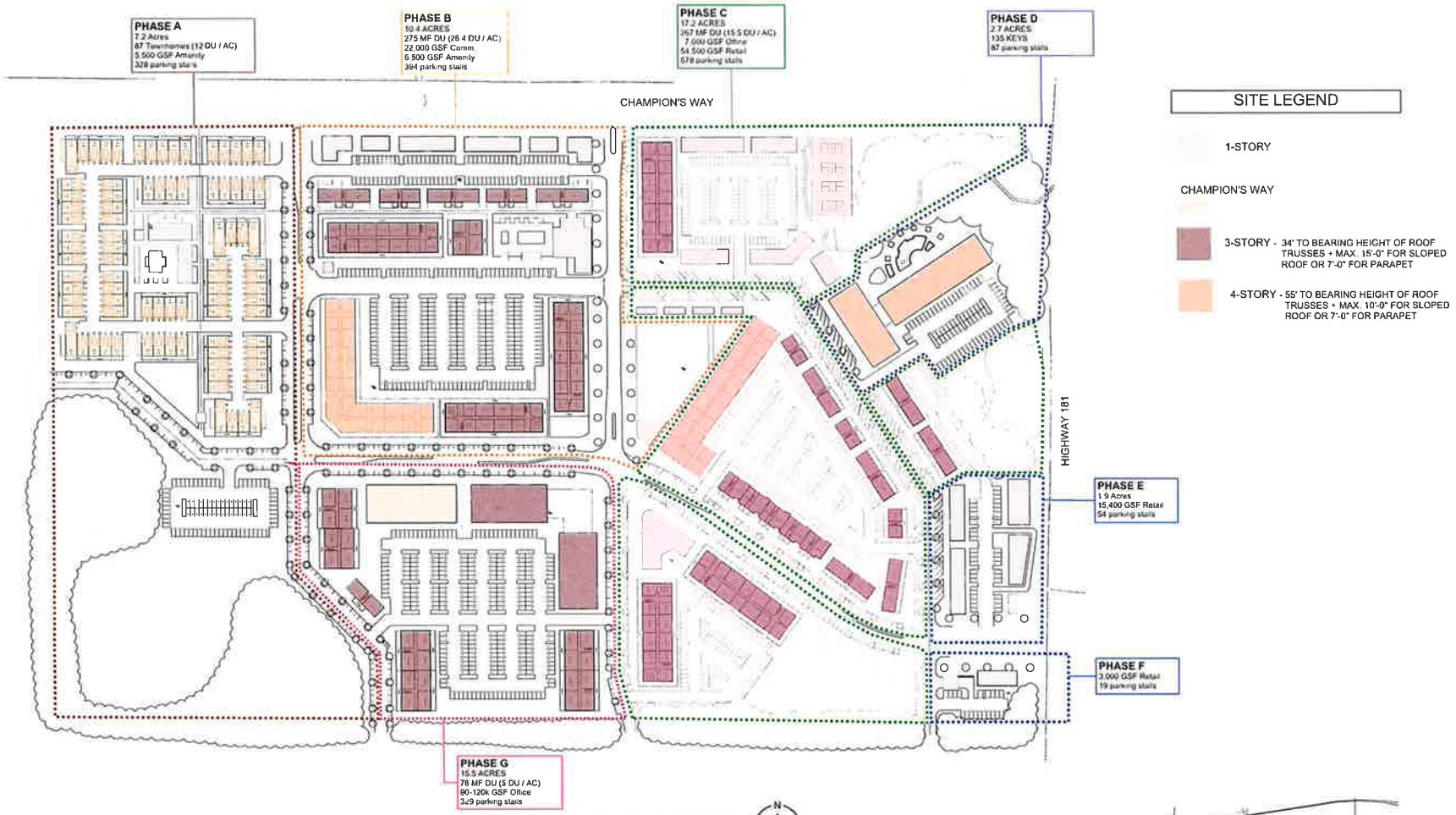
Champion's Way:
Existing street to be landscaped, lined with street trees, and a M.U.T. installed along entire frontage.

NATURAL AREA:
lands approximating or reverting to a wilderness condition, including lands unsuitable for settlement due to topography, hydrology or vegetation.

AMENITY AREA:
Developed lands devoted to community use for relaxation, recreation &/or play.

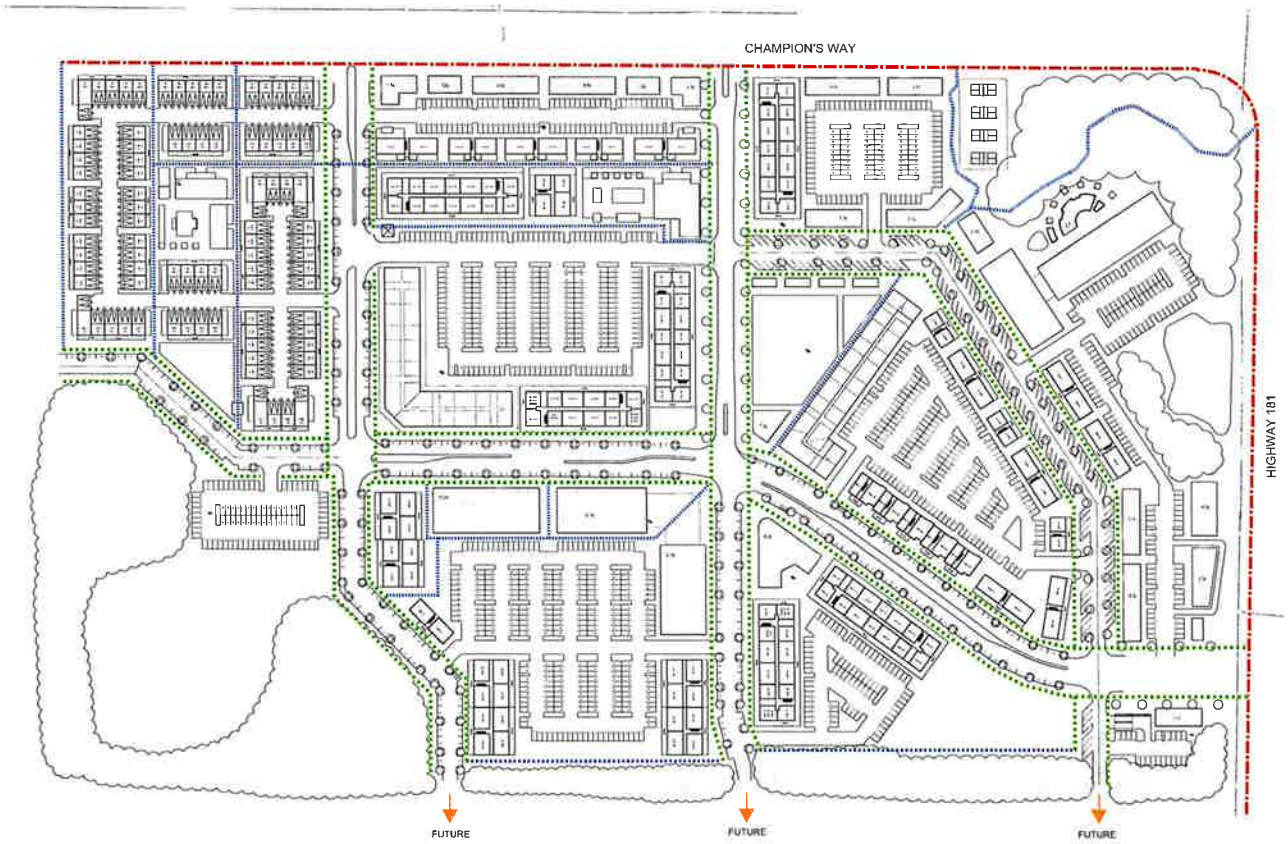
Green:
An open space available for unstructured recreation. A Green may be spatially defined by landscaping rather than building Frontages.

PEDESTRIAN COURT / PATH:
Circulation systems for interconnectivity that also serve as common green space for pedestrian occupation. Consist of a mix of hard and soft scape, paths, seating, and vegetation.



PROSPECT PARK PHASE AND DENSITY MAP
SCALE 1" = 100'-0"

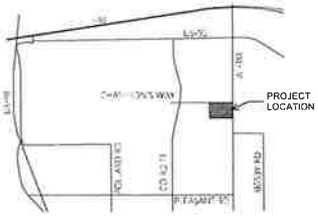
VICINITY MAP
N.T.S.



SITE LEGEND

- PERIMETER PEDESTRIAN WAY
- PEDESTRIAN STREET
- PEDESTRIAN ONLY WAY

PROSPECT PARK CONNECTIVITY MAP
SCALE 1" = 100'-0"



VICINITY MAP
N.T.S.

November 4, 2024
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:00 P.M.

1. CALL TO ORDER:

There being a quorum present Council President Steve Olen called the meeting to order at 6:00pm.

2. ROLL CALL:

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

Also Present: Scott Hetrick, City Attorney; Mayor LeJeune; Candace Antinarella, City Clerk; Chief Tacon, Fire; Chief Gulsby, Police; Adrienne Jones, Planning; Emmie Powell, Library; Ange Baggett, Marketing/Tourism; Vickie Hinman, Human Resources; Ronnie Huskey, Public Works; Troy Strunk, City Development; Reggie Ardis, Police; Lakyn Coggin, Junior City Councilmember; Stella Hawks, Junior City Councilmember; John Wallace Simpson, Junior City Councilmember; Merrill Rigsby, Junior City Councilmember; Dareon Maynard, Junior City Councilmember; Schuyler Smith, Junior City Councilmember; and Jessica Linne, Assistant City Clerk.

INVOCATION/PLEDGE OF ALLEGIANCE:

Invocation was given by Councilman Ron Scott.

PROMOTION: Chief Gulsby recognized Jamie Huffman for her recent promotion to Corporal.

Chief Gulsby recognized two Corrections Officers for their recent promotions: Karen Johnson and Charles "Alex" Phipps.

3. APPROVAL OF MINUTES:

The minutes from the October 21, 2024 regular meeting were approved.

4. REPORT OF STANDING COMMITTEES:

A. FINANCE COMMITTEE
Councilwoman Phillips said the next meeting is November 18th at 4:30.

B. BUILDINGS & PROPERTY COMMITTEE
Councilman Goodlin said the next meeting is November 12th at 5:15pm.

C. PUBLIC SAFETY COMMITTEE
Councilman Hughes said the next meeting is November 12th at 4:30pm.

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE
Councilman Scott said the next meeting is December 2nd at 4:30pm.

E. PUBLIC WORKS COMMITTEE
Councilwoman Conaway said the next meeting is December 2nd at 5:15pm.

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments
Mrs. Jones said there is no November meeting.

B. Daphne Public School Commission
Councilwoman Conaway said there is no meeting in November or December. The next meeting is January 27th at 5:30pm at Daphne East Elementary School.

C. Downtown Redevelopment Authority
Councilwoman Conaway said the next meeting is November 21st at 5:30pm.

D. Industrial Development Board
Councilman Scott said the next meeting is November 19th at 4:30pm.

E. Library Board
Councilman Goodlin said the next meeting is November 14th at 4:30pm at the Library.

F. Planning Commission
Councilman Olen said the next meeting is November 14th at 5:00pm.

G. Recreation Board
Councilman Hughes said the Recreation Board will be presenting at the next Council Work Session.

H. Utility Board
Councilman Coleman said the next meeting is December 4th at 5:00pm.

6. PUBLIC PARTICIPATION:

Public participation opened at 6:11pm.

No one came forward to speak.

Public participation closed at 6:11pm.

7. MAYOR'S REPORT:

Mayor LeJeune congratulated all those who were recognized for their promotions. He reminded everyone tomorrow is Election Day and invited all to the Animal Shelter Ribbon Cutting on November 16th at 10:00am.

8. CITY ATTORNEY REPORT:

City Attorney said there was no report.

9. DEPARTMENT HEAD COMMENTS:

Chief Gulsby, Police, said the 3rd Annual Tent or Treat went well. He shared about some recent training that was completed in regards to inclusive communications.

Chief Tacon, Fire, said they had the Deputy Fire Marshal interviews last week and also shared about recent EMS training.

Ange Baggett, Marketing and Tourism, reminded everyone that Election Day is tomorrow and the Daphne High School Veteran's Day Program is Friday at 9:30am.

Emmie Powell, Library, shared about the recent bookmark contest held at the Library. She encouraged everyone to vote for the Library on the Best of Baldwin contest.

Ronnie Huskey, Public Works, thanked the Council and Mayor for the opportunities he's had while working at the City.

Junior Council, Abby English, shared the next meeting is November 13th at 5:00pm.

10. CITY CLERK'S REPORT:

MOTION by Councilman Hughes to approve the 050 – Retail Beer (Off Premises Only) and 070 – Retail Table Wine (Off Premises Only) to Alabama Chips to Go LLC dba Jubilee Shell located at 6851 US Highway 90, Daphne, AL. Seconded by Councilwoman Phillips.
MOTION CARRIED UNANIMOUSLY.

MOTION by Councilwoman Phillips to approve the 050 – Retail Beer (Off Premises Only) and 070 – Retail Table Wine (Off Premises Only) to Alabama Chips to Go, LLC dba Lake Forest Shell located at 29279 US Highway 98, Daphne, Alabama. Seconded by Councilman Hughes.
MOTION CARRIED UNANIMOUSLY.

MOTION by Councilwoman Phillips to approve the 050 – Retail Beer (Off Premises Only) and 070 – Retail Table Wine (Off Premises Only) to Alabama Chips to Go, LLC dba Malbis Shell located at 29640 State Highway 181, Daphne, Alabama. Seconded by Councilman Hughes.
MOTION CARRIED UNANIMOUSLY.

MOTION by Councilwoman Conaway to approve the SEEDS Annual Crawfish Boil on March 22, 2025 located on Daphne City Hall front lawn. Seconded by Councilman Scott.
MOTION CARRIED UNANIMOUSLY.

MOTION by Councilwoman Conaway to approve the publication and set a public hearing on December 16, 2024 for the Official City of Daphne Zoning Map Update. Seconded by Councilwoman Phillips.
MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to approve the publication and set a public hearing on December 16, 2024 for the Bayside Academy, Inc Pre-Zoning Amendment located Southeast of Friendship Road and County Road 64. Seconded by Councilman Goodlin.
MOTION CARRIED UNANIMOUSLY.

MOTION by Councilwoman Conaway to approve the publication and set a public hearing on December 16, 2024 for the Bayside Academy, Inc Annexation Petition located Southeast of Friendship Road and County Road 64. Seconded by Councilwoman Phillips.
MOTION CARRIED UNANIMOUSLY.

MOTION by Councilwoman Phillips to approve the publication and set a public hearing on December 16, 2024 for the Bertolla Properties, LLC, YOTA Properties, LLC, Frederick G. & Thomas Boni, and Sharon and John Christopher Boni Annexation Petition located Southeast of the intersection of Milton Jones Road and Alabama Highway 181. Seconded by Councilman Hughes.
MOTION CARRIED UNANIMOUSLY.

MOTION by Councilwoman Conaway to approve the publication and set a public hearing on December 16, 2024 for the Bertolla Properties, LLC Pre-Zoning Amendment located Southeast of the intersection of Austin Road and Alabama Highway 181. Seconded by Councilman Goodlin.
MOTION CARRIED UNANIMOUSLY.

MOTION by Councilwoman Conaway to approve the publication and set a public hearing on December 16, 2024 for the Bertolla Properties, LLC Annexation Petition located Southeast of the intersection of Austin Road and Alabama Highway 181. Seconded by Councilman Scott.
MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Hughes to approve the publication and set a public hearing on December 16, 2024 for the Bertolla Properties, LLC Vacation of Right-of-Way located East of the intersection of Austin Road and Alabama Highway 181. Seconded by Councilman Scott.
MOTION CARRIED UNANIMOUSLY.

11. RESOLUTIONS:

2024 – 50 – Revision to the Official City of Daphne Street Map

MOTION by Councilman Scott to waive the reading or Resolution 2024-50. Seconded by Councilman Hughes.
MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to adopt Resolution 2024-50. Seconded by Councilman Hughes.
MOTION CARRIED UNANIMOUSLY.

12. 2ND READ ORDINANCES:

2024 – 34 – Ordinance to Re-Zone Property Located Southeast of the Intersection of Whispering Pines and US Highway 98

2024 – 35 – Ordinance Amending City's Employee Handbook – Section 9.8

MOTION by Councilman Scott to waive the reading or Ordinance 2024-34. Seconded by Councilman Coleman.
MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to adopt Ordinance 2024-34. Seconded by Councilman Goodlin. Councilman Olen discussed previous actions taken by the Council for this property and said he is opposed to the rezoning. Councilman Scott said he feels the applicant has followed the rules and said he is for the rezoning.

City Clerk called a roll call vote.

Councilwoman Conaway	**Nay**
Councilman Coleman	**Aye**
Councilman Goodlin	**Aye**
Councilman Scott	**Aye**
Councilman Hughes	**Nay**
Councilwoman Phillips	**Nay**
Council President Olen	**Nay**

MOTION FAILED.

MOTION by Councilman Scott to waive the reading of Ordinance 2024-35. Seconded by Councilwoman Conaway.
MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to adopt Ordinance 2024-35. Seconded by Councilwoman Conaway.
MOTION CARRIED UNANIMOUSLY.

13. 1ST READ ORDINANCES:

2024 – 36 – Ordinance to Amend the City's Military Leave Policy, Adopt an Accommodation Policy and Reorganize Chapter 1 of the City's Employee Handbook

14. ELECTION OF OFFICERS:

MOTION by Councilman Coleman to elect Councilman Scott as the Council President. Seconded by Councilwoman Phillips.
MOTION CARRIED UNANIMOUSLY.

MOTION by Councilwoman Conaway to elect Councilman Hughes as Council Pro Tem. Seconded by Councilman Olen.
MOTION CARRIED UNANIMOUSLY.

15. COUNCIL COMMENTS

Councilwoman Conaway congratulated Councilman Scott and Councilman Hughes. She thanked Ronnie Huskey for his service.

Councilman Olen congratulated those recognized in the police promotions. He wished Ronnie Huskey well. He congratulated Councilman Scott and Councilman Hughes and thanked all involved with the Tent or Treat.

Councilman Coleman congratulated all the promotions and Councilman Scott and Councilman Hughes. He said Ronnie Huskey will be missed.

Councilman Goodlin congratulated Councilman Scott and Councilman Hughes as well as the police promotions. He congratulated Ronnie Huskey on his new job and wished him well.

Councilman Hughes thanked Ronnie Huskey for his work and the Council for voting him to be Pro Tem. He congratulated Councilman Scott and wished the Mayor happy birthday.

Councilwoman Phillips wished the Mayor happy birthday and thanked Councilman Olen for his leadership. She congratulated the police promotions as well as Councilman Scott and Councilman Hughes. She commended Ronnie Huskey for his time at the City.

Councilman Scott thanked Councilman Olen for his leadership and for the police and fire departments for recognizing promotions. He congratulated Councilman Hughes and commended Ronnie Huskey.

Mayor LeJeune congratulated Councilman Scott and thanked Councilman Olen. He said he appreciates Ronnie Huskey.

16. <u>ADJOURN</u>:

THERE BEING NO FURTHER BUSINESS TO DISCUSS, COUNCIL ADJOURNED AT 6:46PM.

Respectfully submitted by,

_____
Candace G. Antinarella, MMC, City Clerk

Certification of Presiding Officer,

_____
Steve Olen, Council President

BUILDINGS & PROPERTY COMMITTEE MEETING
September 9, 2024, 5:15 p.m.
City Hall, Jubilee Conference Room
1705 Main Street, Daphne, AL 36526

MEETING MINUTES

MEMBERS PRESENT: Councilman Goodlin, Councilman Coleman, Councilwoman Conaway, Councilwoman Phillips, Councilman Hughes, Councilman Olen and Councilman Scott

ALSO PRESENT: Mayor LeJeune, Patrick Dungan, City Attorney; Candace Antinarella, City Clerk; Troy Strunk, City Development; Kelli Reid, Finance; Charlie McDavid, Recreation; Eric Butler, Building Inspection; Ange Baggett, Marketing/Tourism; Jennifer Rulon, Senior Center; Emmie Powell, Library; Dareon Maynard, Junior Councilmember; and Emma Coleman, Junior Councilmember.

1) CALL MEETING TO ORDER / ROLL CALL

There being a quorum present Councilman Goodlin called the meeting to order at 5:15p.m.

2) MINUTES

Councilman Goodlin reviewed the minutes from the August meeting.

3) PUBLIC PARTICIPATION

No one came forward to speak.

4) BUILDING INSPECTION REPORT

Eric Butler gave the Building and Permit Report for August.

5) CIVIC CENTER & BAYFRONT PAVILION REPORT

Ange Baggett gave the Civic Center Report.

6) RECREATION REPORT

Charlie McDavid gave the Recreation Report. He introduced Jennifer Rulon from the Senior Center. Jennifer gave an update on the Senior Center and its activities.

7) LIBRARY REPORT

Emmie Powell gave the Library Report and reminded everyone it was Library Card month.

8) FACILITIES REPORT

9) OLD BUSINESS

10) NEW BUSINESS

No new business.

11) ANY OTHER BUILDINGS AND PROPERTY BUSINESS

12) NEXT MEETING

The next meeting is scheduled for Monday, October 14, 2024 at 5:15 p.m.

13) ADJOURN

There being no further business to discuss, the Committee adjourned at 5:29pm.

City of Daphne Building Department

2020 / 2021 / 2022 / 2023 / 2024 Comparison Report

	Fees Collected					Permits Issued					CO's Issued				
	2021	2022	2023	2024	2025	2021	2022	2023	2024	2025	2021	2022	2023	2024	2025
Oct	$94,131.53	$84,303.63	$47,086.96	$ 83,607.35	**$ 143,569.06**	357	308	192	223	**213**	31	40	28	32	**17**
Nov	$109,387.14	$91,672.49	$50,279.03	$ 27,758.62		378	351	286	166		30	30	36	23	
Dec	$101,471.36	$128,605.99	$57,070.59	$ 40,344.17		383	296	216	181		43	53	36	33	
Jan	$132,049.79	$259,810.62	$33,804.54	$ 163,953.56		372	350	152	295		24	36	33	25	
Feb	$97,396.64	$129,315.56	$44,081.76	$ 84,412.27		350	292	169	229		32	32	31	23	
Mar	$95,472.42	$116,358.20	$30,603.28	$ 57,825.99		391	431	181	240		52	84	44	24	
Apr	$80,088.89	$60,816.35	$76,873.19	$ 171,191.80		373	324	212	348		40	42	27	15	
May	$101,848.37	$65,454.25	$147,875.62	$ 207,947.06		380	306	288	368		42	48	20	30	
June	$100,508.32	$147,395.66	$234,524.02	$ 58,420.91		394	355	308	232		50	34	25	43	
July	$78,547.74	$87,733.72	$100,809.42	$ 69,318.38		408	305	267	273		29	23	13	33	
Aug	$59,376.50	$61,504.63	$60,342.37	$ 181,357.78		309	299	192	239		30	19	4	29	
Sept	$93,879.09	$140,065.18	$108,322.22	$ 189,261.78		442	328	**277**	344		48	40	34	20	
Total	$1,144,157.79	$1,373,036.28	$991,673.00	$1,335,399.67	**$143,569.06**	4537	3945	2740	3138	**213**	451	481	331	330	**17**
ercent	NA	20.00%	-27.78%	34.66%		NA	-13.05%	-30.54%	14.53%	%	NA	6.65%	-31.19%	-0.30%	

October FY2024 Building Inspections- 422

213 Permits issued, 17 Certificate Of Occupancies issued, and 26 New home permits issued

September 9, 2024
PUBLIC SAFETY MEETING MINUTES
1705 MAIN STREET
DAPHNE, AL
4:30 P.M.

1. **CALL TO ORDER:**

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

2. **ROLL CALL:**

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

ABSENT:

Also Present: Mayor LeJeune, Patrick Dungan, City Attorney; Troy Strunk, City Development; Fire Department; Chief Tacon, Chief Gulsby, Police Department; Candace Antinarella, City Clerk; Christina Brazell, Recording Secretary.

Junior City Council present: Emma Coleman

3. **PUBLIC PARTICIPATION:**

Debbie Lazzaro, 23990 Shadowridge Dr.: Wanted to address with the Council her concerns about speeding and the traffic flow on her street.
Per the City, a speed table is to be placed on Camberwell Dr. to address some of these issues, as well as the developer to place an additional speed table on Shadowridge Dr.
Lastly, discussion was made regarding the traffic light being placed up at State Hwy 181/Corte Rd.

Tom Walker wanted to thank the Council and participating departments that were involved in the Community Spirit Day, the event went very well.

4. **APPROVAL OF MINUTES FROM PREVIOUS MEETING**

Minutes from August 12, 2024 Public Safety meeting were approved as presented.

5. **POLICE DEPARTMENT – Chief Gulsby**

Old Business:
Police Department is trying to fill open positions. Three new Officers being sworn in this week. Two Officers are approaching retirement.

New Business:
Also this week, Officers are attending 911 events, first responder luncheons, etc.

6. **FIRE DEPARTMENT: - Chief Tacon**

Old Business: ISO Update? Working on it. Also, Chief provided and discussed monthly stats.

New Business: Baby Box discussion. Everything regarding the implementation will be donated, except for the monthly monitoring fees. This idea was brought to our City Fire Department by Carolyn Courson.

7. **OTHER BUSINESS**

None.

Adjournment 5:00 p.m.

CODE ENFORCEMENT/ORDINANCE COMMITTEE MEETING
October 7, 2024, 4:30 p.m.
City Hall, Council Chamber
1705 Main Street, Daphne, AL 36526

MEETING MINUTES

MEMBERS PRESENT: Councilman Coleman, Councilman Goodlin, Councilman Hughes, Councilman Scott, Councilman Olen and Councilwoman Conaway

MEMBERS ABSENT: Councilwoman Phillips

ALSO PRESENT: Jay Ross, City Attorney; Mayor LeJeune; Troy Strunk, City Development; Chief Gulsby, Police; Alex Bischoff, Code Enforcement; Chief Tacon, Fire; Adrienne Jones, Planning; Vickie Hinman, Human Resources; Jensen Graddick, Human Resources; Kelli Reid, Finance; Emma Coleman, Junior City Council; Lakyn Coggin, Junior City Council; and Candace Antinarella, City Clerk.

1) CALL MEETING TO ORDER / ROLL CALL

There being a quorum present Councilman Scott called the meeting to order at 4:33 p.m.

2) APPROVE MINUTES FROM THE August 5, 2024 Meeting

3) PUBLIC PARTICIPATION

4) ORDINANCE REVIEW/DISCUSSION

Councilman Goodlin brought up and discussed the Community Grants Ordinance. He proposed considering allowing a max of $7,500 for FY26 and FY 27, then $10,000 FY28 and beyond.

Council discussed.

MOTION by Councilman Goodlin to recommend to Council to increase the Community Grants max to $7,500 for FY2026. Seconded by Councilman Olen.
MOTION CARRIED UNANIMOUSLY.

Mrs. Hinman discussed the HR Ordinance for Employees.

MOTION by Councilman Hughes to recommend to Council to approve the Juneteenth Holiday be attended to the City calendar. Seconded by Councilwoman Conaway.
MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Hughes to recommend to Council to approve the military leave in the Employee Ordinance. Seconded by Councilman Goodlin.
MOTION CARRIED UNANIMOUSLY.

Mayor LeJeune and Chief Gulsby discussed the Park Rules Ordinance regarding overnight parking.

City Clerk said legal could create a new ordinance for overnight parking.

5) OTHER BUSINESS DEEMED NECESSARY

6) NEXT MEETING

The next meeting is scheduled for Monday, November 4, 2024 at 4:30 p.m.

7) ADJOURN

There being no further business to discuss, the Council adjourned at 5:01pm.

Accepted by:

Chairman, Daphne Utilities

DAPHNE UTILITIES

WATER • NATURAL GAS • SEWER

APPROVED MINUTES

Utilities Board Meeting

Council Chambers, Daphne City Hall ◆ September 25, 2024 ◆ 5:00 p.m.

I. Call to Order

The regular September 2024 Board meeting for the Utilities Board of the City of Daphne was held on September 25, 2024, in the Council Chambers at Daphne City Hall and called to order at 5:00 p.m. by Chairwoman Selena Vaughn, followed by the Roll Call:

II. Roll Call

Members Present: Selena Vaughn, Chairwoman
Tim Patton, Vice Chairman
Billy Mayhand, Secretary/Treasurer
Councilman Joel Coleman, Board Member

Members Absent: Mayor Robin LeJeune, Board Member

Others Present: Jerry Speegle – Board Attorney – arrived at 5:05pm
Scott Polk – General Manager
Bobby Purvis – Operations Manager
Lexus Carlee – Finance Manager
Alex Godfrey – Administrative Services Manager
Lori Wilson – Executive Assistant

Others Absent: Samantha Coppels –Communications Manager

III. Pledge of Allegiance

The Chairwoman led the Board and meeting attendees in the Pledge of Allegiance.

IV. Approval of Minutes

Utilities Board Meeting Minutes August 28, 2024

The Chairwoman requested any additions, corrections, or deletions for the submitted minutes of the regular Daphne Utilities Board meeting of August 28, 2024.

With no additions, deletions or corrections, the Chairwoman declared that the submitted minutes of the regular Daphne Utilities Board meeting of August 28, 2024, would stand approved.

V. OLD BUSINESS –

A. None

VI. NEW BUSINESS –

A. Board Officer Election - (Board Action – MOTION)

1. Secretary/Treasurer

Chairwoman Vaughn called for nominations for Secretary/Treasurer. Mr. Tim Patton nominated Mr. Billy Mayhand for Secretary/Treasurer. Chairwoman Vaughn announced that a second was not needed and called for a vote.

MOTION by Mr. Tim Patton to nominate Mr. Billy Mayhand for the officer position of Secretary/Treasurer. With no other nominations, a call for votes was announced:

AYE: *Coleman, Patton, Vaughn* NAY: ABSENT: *LeJeune* ABSTAIN: *Mayhand* **MOTION CARRIED**

2. Vice Chairman

MOTION by Mr. Billy Mayhand to nominate Mr. Tim Patton for the officer position of Vice Chairman. With no other nominations, a call for votes was announced:

AYE: *Coleman, Mayhand, Vaughn* NAY: ABSENT: *LeJeune* ABSTAIN: *Patton* **MOTION CARRIED**

3. Chairman

MOTION by Mr. Billy Mayhand to nominate Mrs. Selena Vaughn for the officer position of Chairman. With no other nominations, a call for votes was announced:

AYE: *Coleman, Mayhand, Patton* NAY: ABSENT: *LeJeune* ABSTAIN: *Vaughn* **MOTION CARRIED**

B. RESOLUTION 2024-02 - Resolution Designating Official Representation for CWSRF (Board Action: RESOLUTION 2024-02)

Mrs. Melinda Immel with Volkert explained for the Board that this is part of the process for the grant money even though Daphne Utilities would not be taking a loan for the match portion of 25%, they still requested the loan documents. She clarified that this would allow Scott Polk to sign all the documents as part of the application process.

MOTION by Mr. Tim Patton to approve Resolution 2024-02 - Resolution Designating Official Representation as Scott Polk for CWSRF; Seconded by Mr. Billy Mayhand.

AYE: *Coleman, Mayhand, Patton* NAY: ABSENT: *LeJeune* ABSTAIN: *Vaughn* **MOTION CARRIED**

C. **RESOLUTION 2024-03 -** Resolution Designating Official Representation for DWSRF (Board Action: RESOLUTION 2024-03)

MOTION by Mr. Tim Patton to approve Resolution 2024-03 - Resolution Designating Official Representation as Scott Polk for DWSRF; Seconded by Mr. Billy Mayhand.

AYE: *Coleman, Mayhand, Patton* NAY: ABSENT: *LeJeune* ABSTAIN: *Vaughn* **MOTION CARRIED**

VII. BOARD ATTORNEY'S REPORT

Chairwoman Vaughn moved on to the Financial Report until Mr. Speegle arrived.

VIII. FINANCIAL REPORT

Finance Manager Lexus Carlee highlighted for the Board: total assets, money market account interest earnings noting the upcoming lower rate, year-to-date revenue, expenses, yearly total net income and monthly net income, departmental monthly budgetary performances, a brief notice of emergency construction costs on the Monthly Cash Payments, and concluded with a brief highlight of a few checks on the Check History Report.

Mr. Speegle arrived at 5:05pm.

IX. GENERAL MANAGER'S REPORT

A. GM Report

CEO/GM Scott Polk reviewed for the Board: The Strategic Plan that was distributed will have additional upcoming information included; Well #15 moving forward with the Source Water Assessment meeting held prior to this Board meeting and awaiting the control panel for the well along with a bulk of the work to be performed in October and the visit from ADEM for review of the pumping operation and for the well to be certified; a test well that had been dug in the area of the Douglas Road water storage tank with cooperation of the geologist and driller to determine the best way to develop the quality and quantity of the water for this well before moving forward; minimal impacts from recent hurricane storms; Water Quality department's setting standard with The Award of Excellence for the Lovette Water Treatment Plant and the Best Operated Plant Award for the Trojan Water Treatment Plant presented by AWPCA. He also advised the Board of the Utilities' upcoming ReFresher event whereby the employees spend the day getting updates and listening to speakers and gave credit to Bobby Purvis and Samantha Coppels for developing this event.

B. Operations Report

COO Bobby Purvis updated the Board on events of the month, including: work on the digester at the WRF, the Maintenance department's efforts on concrete work at WRF to have a door cut in where the microwave is at the WRF; continuing work on the generator and the automatic transfer switch installed along with some other things; and concluded advising the members regarding upcoming introductions at the next Board meeting of some employees that have been promoted or elevated to leadership positions.

C. Engineering & Consulting Reports – nothing to add to the submitted reports

Chairwoman Vaughn then returned to the Attorney's Report. Mr. Speegle noted that in the Tonsmeier case, that the plaintiffs did provide discovery responses and they will be disseminated to everyone for review, suggesting there should be no surprises.

X. BOARD ACTION – previously addressed.

XI. PUBLIC PARTICIPATION – At 5:13pm, Chairwoman Vaughn noted that there was no one present for public participation.

XII. BOARD COMMENTS –

Councilman Joel Coleman had no comment.
Mr. Billy Mayhand asked about trends regarding last month's water distribution repairs. Mr. Bobby Purvis responded that GIS is used to find the hot-spots and all repairs are tracked then a heat-map of that area is performed quarterly to gauge where repairs are occurring to target problem areas where the older pipe needs to be replaced. He also suggested looking at our GIS to find out about the water main breaks and heat-maps in the City. Mr. Polk added that there tends to be a positive correlation between the number of people installing fiber cable in certain areas and the amount of water main breaks.

XII. ADJOURNMENT

With no additional comments, the Chairwoman Vaughn called for a motion to adjourn the meeting. Mr. Billy Mayhand made the Motion to Adjourn.

The meeting adjourned at 5:15 pm.

Preceding minutes submitted to the Daphne Utilities Board by:

Lori Wilson

Lori Wilson, Executive Assistant, Daphne Utilities

CITY OF DAPHNE, ALABAMA
RESOLUTION 2024 – 51

RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A COOPERATIVE MAINTENANCE AGREEMENT WITH THE ALABAMA DEPARTMENT OF TRANSPORTATION FOR THE CITY'S MAINTENANCE OF CERTAIN STRUCTURES WITHIN THE STATE'S RIGHT-OF-WAY

WHEREAS, the City of Daphne, Alabama (the "City") has developed proposed construction plans to install certain improvements within a portion right-of-way owned by the Alabama Department of Transportation ("ALDOT"); and

WHEREAS, said improvements, which shall include the installation of sidewalks, handicap ramps, retaining walls, and any other structure installed in an effort to accommodate pedestrian travel (the "Improvements"), shall be installed by the City along Highway 90 between mile marker 44.44 and 48.49 (the "Project"); and

WHEREAS, ALDOT requires that the City enter into a Cooperative Maintenance Agreement to provide for the City's continued maintenance of the Improvements and all existing sidewalk and related items within the Project area.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, that the City is hereby authorized to enter into such agreement with ALDOT for the purposes stated herein, and that the Mayor is hereby authorized to execute all agreements and perform such other acts as may be required by ALDOT related to the Project.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA this ____ day of November, 2024.

_____
Robin LeJeune, Mayor

ATTEST:

_____
Candace G. Antinarella, MMC, City Clerk

CITY OF DAPHNE, ALABAMA

Resolution 2024 - 52

RESOLUTION SUPPORTING EASTERN SHORE REPERTORY THEATRE'S GRANT APPLICATION FOR THE RENOVATION OF THE NICHOLSON CENTER AND COMMITTING TO THE NICHOLSON CENTER'S USE FOR ARTISTIC AND CREATIVE ACTIVITIES

WHEREAS, the Nicholson Center serves as a vital community hub within the City of Daphne, Alabama, offering space for recreational, cultural, and community events; and

WHEREAS, the City of Daphne recognizes the value of supporting local arts, culture, and educational programs, which enhance the quality of life for our residents and foster a thriving, engaged community; and

WHEREAS, the Eastern Shore Repertory Theatre has proposed a project to renovate and remodel the Nicholson Center to better serve the needs of Daphne's creative and artistic community, providing enhanced facilities for a variety of cultural and community-based programs; and

WHEREAS, the Nicholson Center renovation is estimated to include improvements such as ADA-compliant upgrades, new flooring, cabinetry, utility sink installations, reworked electrical systems, and enhanced parking and accessibility, as outlined in the project budget provided by Crucible Construction, LLC, totaling an estimated $108,412; and

WHEREAS, a commitment by the City Council to maintain the Nicholson Center for artistic and creative activities for a period of at least ten (10) years will strengthen the grant application by demonstrating the City's ongoing support and dedication to fostering arts and cultural programs.

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

1. **Support for Grant Application**. The City Council hereby expresses its full support for the Eastern Shore Repertory Theatre's grant application to secure funding for the renovation and remodeling of the Nicholson Center.

2. **Commitment to Artistic Use.** The City of Daphne commits to utilizing the Nicholson Center for creative and artistic purposes, including but not limited to theater, music, dance, art exhibitions, and community workshops, for a minimum of ten (10) years following the completion of the proposed renovations.

3. **Authorization to Proceed.** The Mayor and appropriate City officials are hereby authorized and directed to work with the Eastern Shore Repertory Theatre in the preparation and submission of the grant application, as well as to undertake any actions necessary to

facilitate the successful renovation of the Nicholson Center in accordance with the goals set forth in this resolution.

4. **Effective Date.** This resolution shall take effect immediately upon its adoption.

_____

Robin LeJeune, Mayor

ATTEST:

_____

Candace G. Antinarella, MMC, City Clerk

CITY OF DAPHNE
ORDINANCE NO. 2024-36

AN ORDINANCE TO AMEND THE CITY'S MILITARY LEAVE POLICY, ADOPT AN ACCOMMODATIONS POLICY, AND REORGANIZE CHAPTER 1 OF THE CITY'S EMPLOYEE HANDBOOK

WHEREAS, the City Council of the City of Daphne, after due consideration, believes it appropriate to reorganize Chapter 1 of the City of Daphne Employee Handbook, adopts new accommodations policy, and revise the military leave policy;

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

SECTION I:

The City adopts a new Accommodations of Religion and Medical Conditions policy as set forth in *Exhibit A* to this Ordinance and places the policy as Section 1.4. in the Employee Handbook.

The City reorganizes Chapter 1 of the Employee Handbook with policies renumbered to include the new Section 1.4., and amends the titles of certain policies, as set forth in *Exhibit B* to this Ordinance.

The City amends Section 9.13 Military Leave Policy of the Employee Handbook, with the specific revisions set forth in *Exhibit C* to this Ordinance.

SECTION II: REPEALER

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

SECTION III: SEVERABILITY

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

SECTION IV: EFFECTIVE DATE

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

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS ____ DAY OF _____, 2024.

_____
Robin LeJeune
Mayor

ATTEST:

_____
Candace G. Antinarella, MMC
City Clerk

EXHIBIT A

ADOPTION OF NEW POLICY

1.4 ACCOMMODATION OF RELIGION AND MEDICAL CONDITIONS

The City will attempt to make appropriate accommodations for qualified employees or job applicants who have difficulty performing essential job functions or complying with our policies because of religious belief or practice, or any physical or mental disabilities, or any limitations created by pregnancy, childbirth, or related medical conditions. The City is committed to engaging in an interactive process regarding accommodations requests and evaluating if and how the City may provide accommodations. Individuals seeking accommodation must cooperate with the interactive process. The City will make every effort to handle accommodation requests sensitively and to protect the confidentiality of the information shared with the City whenever possible.

In general, a reasonable accommodation is a modification or adjustment of an individual's job or work environment that effectively enables the individual to perform essential job functions or enjoy equal employment benefits and privileges as similarly situated employees or applicants.

Requested accommodations must be reasonable and must not cause undue hardship to the City or pose a threat to the health or safety of the individual, co-workers, or others in the workplace. Some examples of unreasonable accommodation requests include permanently eliminating essential functions of a job, making other employees perform essential job functions for an employee, modifying a work schedule if the modification adversely affects other employees' ability to perform their jobs, completely excusing an employee from uniformly applied attendance rules or performance standards, indefinite leave of absence, unreasonable extensions of leave, or changes for the mere convenience or personal benefit of an employee.

Employees or applicants seeking accommodation must notify the Human Resources Director. Department Heads and other managers or supervisors who receive a request for accommodations from an employee or job applicant must notify the Human Resources Director. Individuals requesting accommodation are strongly encouraged to make these requests in writing. The City may require any person to follow up on a verbal request with a written request.

An individual seeking accommodation is responsible for reasonably describing the at-issue religious belief or practice, or the mental or physical disability, or the pregnancy-related limitation, how the individual is having difficulty or other issue with performing essential job functions or complying with the City's policies, and how the requested accommodation(s) will assist with performing essential job functions or complying with the City's policies. The City encourages individuals to suggest specific accommodation.

Individuals seeking accommodations may be required to provide further description or explanation of the requested accommodation or provide medical information concerning any pregnancy-related limitations or physical/mental disabilities. Where appropriate, the City may ask for the individual's permission to obtain additional information from medical provider(s) or require the individual to provide medical information related to the identified disability or limitation or requested accommodation.

The City reserves the right to make the final decision regarding accommodation. The City is not required to make any specific accommodation requested and may provide alternative accommodations if alternative accommodations reasonably address the issue. Accommodations

are subject to periodic review. As part of the review, the City may require employees to provide updated medical information to demonstrate that the need for accommodation is ongoing.

EXHIBIT B

REORGANIZATION
OF
HANDBOOK CHAPTER 1

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	Operational Guidelines	
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	Appointing Authority	
	Department Head	
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EXHIBIT C

AMENDMENT
OF
EXISTING SECTION 9.13

9.13. MILITARY LEAVE POLICY

Scope and Eligibility. Employees who are members of the United States Armed Forces, the Reserves, the National Guard, or the Civil Air Patrol, or who hold certain positions with the Public Health Service positions or the National Disaster Medical System (including the AL3 Disaster Medical Assistance Team are eligible for military leave for training, service, or fitness-for-duty examinations. Military leave is available if an eligible employee needs time off from work for military training and drills, or fitness-for-duty examinations, or is called into active service by the Governor of the State of Alabama ("state military service") or is ordered into active service under the provisions of the National Defense Act, the Public Health Security and Bioterrorism Preparedness and Response Act of 2002 or the federal laws governing the United States Reserves ("federal military service"). This policy covers employees taking those types of leaves as well as employees who leave the City's employment for lengthy absences or resign to enter full-time active duty service.

Notification of Military Absence/Documentation. If an employee requires leave, or desires to resign employment, due to military training, fitness-for-duty examinations, or active military service obligations, the employee must submit a written request for military leave or resignation notice to the Human Resources Director through the Department Head. The employee also must submit a copy of relevant military orders or other documentation unless the orders or documentation are not reasonably available. If orders or other documentation are not initially available, the employee must submit the orders or documentation as soon as possible after they become available. When requesting military leave, the employee also must notify the Human Resources Director through the Department Head of the reasons for the requested military leave, the anticipated date of departure, and the anticipated return-to-work date, if known. Resignation notices to become a full-time active duty member of the military should include a resignation date. Requests for extension of a previously granted military leave must be made to the Human Resources Director, provide the same information, and be supported with new orders or other written documentation provided when reasonably available.

Paid or Unpaid Military Leave. With two exceptions, military leaves are unpaid leave. An employee may elect to use available vacation pay during a military leave after exhausting available paid military leave. The City will not charge an employee's vacation pay balance for any military leave without written instruction from the employee.

"Federal Service" Paid Leave An employee granted a military leave of absence for "federal" service, and for training and fitness-for-duty examinations as a member of the National Guard or Reserves will be paid for up to one hundred sixty eight (168) working hours per calendar year for those hours the employee otherwise would have been working for the City. For example, if the employee is not otherwise scheduled to work on weekends, then the employee will not be paid for "weekend drill."

"State Service" Paid Leave An eligible employee also will be entitled to be paid for up to one hundred sixty eight (168) working hours at any one time while called to duty by the Alabama Governor in the active service of the State of Alabama to assist with the enforcement of the law, the preservation of the peace or for the security of the rights and lives of citizens or protection of

property in aid and relief of citizens in disaster, or any similar duty, or any other service that the Governor may for specific reasons so designate.

Health/Dental Insurance Benefits During Military Leave. During an approved military leave of absence lasting 90 calendar days or less, the employee's health and/or dental insurance, if any, will continue just as if the employee had not taken leave. The City will continue to pay its portion of the premium, and the employee must arrange to pay on time any portion of the premium the employee usually pays. An employee's health and/or dental insurance coverage may terminate if the employee fails to pay on time any portion of the premium the employee is obligated to pay. If the employee resigns employment to enter active military service, or if an employee's military leave or military absence is for 91 days or longer, health and dental insurance coverage provided by the City will lapse, but the employee may elect "continuation coverage" at the employee's expense up to 102% of the full premium to maintain health insurance.

Vacation Pay and Paid Sick Leave. An employee who is on military leave for more than ten (10) working days during a month will not accrue any paid vacation or paid sick leave for the month, as it is with other employees on a leave without pay status. An employee who separates from employment in order to join the Armed Forces will not accrue any paid vacation or paid sick leave during the period prior to re-employment. An employee who separates from employment in order to join the Armed Forces and does not return to employment with the City will forfeit unused sick leave as provided in the Paid Sick Leave policy unless the employee retires.

Other Benefits. Employees on military leave are eligible for those other benefits to which employees on leave without pay status are eligible. Retirement credit for the military service will be in accordance with the City's retirement plan.

Notification of Return from Military Absence. When an employee seeks to return to work or apply for re-employment following a military absence, the employee must provide notice to the Human Resources Director of an intent to return to work or apply for re-employment according to following schedule:

(1) If the employee was absent for military fitness-for-duty examination or the military absence was for less than thirty-one (31) days, the employee must return to work and/or reapply for work at the beginning of the first full regular scheduled work period that starts at least eight (8) hours after the employee returns from the location of military service, training, or examination. For example, if an employee is released from a two-week National Guard drill at 8:00 a.m. on Monday, June 1, the City will allow the employee the time it takes to travel home, plus eight (8) additional hours. If the travel time is less than eight (8) hours, the employee would not be required to report for work until the next full scheduled work day, Tuesday, June 2. If the travel time is more than eight (8) hours, then the employee would not be required to report for work until Wednesday, June 3, because the travel time plus eight (8) hours will overlap into Tuesday, June 2.

(2) If the military absence was for more than thirty (30) days but less than 181 days, the employee must return to work and/or re-apply for work no later than fourteen (14) days after completing the service or training. But if circumstances beyond the employee's control make returning within this fourteen (14) day period impossible or unreasonable, then the employee

must notify the Human Resources Director about those circumstances and return to work on the next calendar workday when returning becomes possible or reasonable.

(3) If the military absence was for more than 180 days, the employee must notify the Human Resources Director of an intent to return to work no later than ninety (90) days after the completion of the service or training by submitting a written application for re-employment.

(4) If an employee is hospitalized or recovering from an injury or illness incurred or aggravated during the military service or training which makes the employee unable to perform job duties, the employee must: (i) as soon as possible, notify the Human Resources Director regarding the injury or illness and resulting inability to work; and (ii) at the end of the necessary recovery period, notify the Human Resources Director of the intent to return to work by submitting a written application for re-employment. The City cannot guarantee reinstatement if the recovery period exceeds two (2) years unless circumstances beyond the employee's control make re-application impossible or unreasonable. In such circumstances, the employee must re-apply to the Human Resources Director on the next calendar workday when notice becomes possible.

Return-to-Work Documentation. Within two (2) weeks after returning from any military leave or absence of longer than thirty (30) days, the employee must provide documentation (unless such documentation does not yet exist or is not readily available) showing: (i) the return-to-work notice was submitted within the required time period; (ii) the total length of the period of military service; and (iii) the employee received an honorable or general discharge (if applicable).

Re-Employment Rights. If an unclassified or classified employee is called to active duty or separates from employment to join the Armed Forces, the City will re-employ the individual in the old position or position of like seniority, status, and pay upon discharge from military duty, subject to the following conditions.

- Notice Given Prior to and Following Absence. The employee must have complied with the notice provisions of this policy prior to and following the absence for military duty.
- Honorable or General Discharge. The employee must have received an honorable or general discharge from military service unless the employee remains a member of the National Guard or Reserves or is otherwise not in an active-duty service.
- Length of Service Restrictions. The employee's total cumulative absence must not exceed five (5) years, excluding certain types of military service described under federal law.

Post-Military Employment Position, Pay, Benefits. When an employee returns to work after a military absence or military leave, the employee in most circumstances will be assigned to the former job or to an equivalent job with the pay, benefits, seniority, and working conditions the employee would have had if continuously employed. If an employee separates from employment in order to join the Armed Forces, and then later exercises re-employment rights described in this policy to return to work for the City, the City will credit unused sick leave that the employee had accumulated at the time of departure to the sick leave account when the employee returns to work.

Exceptions to Re-employment Rights. Re-employment will not be required if the City's circumstances have changed so as to make it impossible or unreasonable to re-employ the

individual. Such changes include: (i) the organization has changed drastically in nature and size; (ii) the individual's old job has been abolished and employment would have been lost anyway; or (iii) the individual is no longer physically or mentally qualified for the old job or a comparable job; or (iv) the position from which the employee departed was a temporary job.

"For Cause" Discharge Protection. The City makes a limited exception to its "at-will employment" rule for any employee who returns to work from military leave or is re-employed after a military absence. If a person's period of military service or training was more than 30 days but less than 181 days, then the City will not discharge or terminate the individual, except for cause, during the 180-day period after such reemployment or return to work from leave. If a person's period of military service before reemployment with us was more than 180 days, then after re-employment, the City will not discharge or terminate the individual, except for cause, during the one-year period after the date of such reemployment.

CITY OF DAPHNE, ALABAMA
ORDINANCE 2024-37

Ordinance to Re-Zone Property Located
Southeast of Champions Way and Alabama Highway 181

WHEREAS, Fortuna Investments, LLC, Industrial Development Board and the City of Daphne, as the owners of certain real property located within the City of Daphne, has requested that said property that is currently zoned as B-1, Local Business, be re-zoned as PUD, Planned Unit Development; and

WHEREAS, said real property is located Southeast of Champions Way and Alabama Highway 181 and more particularly described as follows:

Legal Description of Property to be Re-Zoned to PUD, Planned Unit Development:

Tract 1: Lot 2B of Re-subdivision of Lot 2, DISC Subdivision, as per plat thereof recorded on Slide No. 2943-E of the records in the office of the Judge of Probate, Baldwin County, Alabama.

Tract 2: Lots 3, 5, 6 and Common area 1 of DISC Subdivision, as per plat thereof recorded on Slide No. 2568-E and 2568-F of the records in the office of the Judge of Probate, Baldwin County, Alabama.

Lots 1A, 1B and 7 of IDB Subdivision, a Re-Subdivision of Lots 1 and 7 of DISC Subdivision, as per plat thereof recorded on Slide No. 2714-A of the records in the office of the Judge of Probate, Baldwin County, Alabama.

Lot 4 of DISC Subdivision, as per plat thereof recorded on Slide No. 2568-E and 2568-F in the office of the Judge of Probate, Baldwin County, Alabama.

WHEREAS, at the regular Planning Commission meeting on September 26, 2024, the Commission considered said request and the motion carried for a favorable recommendation; and,

WHEREAS, due notice of said proposed re-zoning has been provided to the public as required by law through publication and open display at the Daphne Public Library and City Hall, and a public hearing was held before the City Council on November 18, 2024; and,

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

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

SECTION I: ZONING

The above described real property is hereby re-zoned from B-1, Local Business to PUD, Planned Unit Development, and the zoning ordinance and zoning map shall be amended to reflect the said zoning change.

SECTION II: REPEALER.

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

SECTION III: SEVERABILITY.

The provisions of this Ordinance are severable. If any provision, section, paragraph, sentence, or part thereof shall be held unconstitutional or invalid, such decision shall not affect or impair the remainder of said Ordinance, it being the legislative intent to ordain and enact each provision, section, paragraph, sentence, and part thereof separately and independently of each other.

SECTION IV: EFFECTIVE DATE AND REVERSION.

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

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ DAY OF _____, 2024.

Attest: **Robin LeJeune, Mayor**

Candace G. Antinarella, MMC, City Clerk

CITY OF DAPHNE, ALABAMA

ORDINANCE 2024-38

AN ORDINANCE FOR COMMUNITY GRANTS

WHEREAS, the City Council of the City of Daphne adopted Ordinance 2020-39, an Ordinance Establishing a Policy for Community Grants as determined that it is in the public interest to provide limited financial assistance to community groups and organizations within the community to assist with activities or special events that advances a public purpose. This support is in recognition of the value of these activities to the benefit, growth and spirit of the public community and in helping the municipality retain a strong community focus; and

WHEREAS, the Council has determined that the City's policy for community grants should be amended for Fiscal Year 2026.

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

SECTION 1. DEFINITIONS

Unless the context clearly indicates a different meaning, the words, terms and phrases used in this Ordinance shall have the following respective meanings:

> "City" shall mean the City of Daphne in the State of Alabama.
>
> "Competitive teams" shall mean any group of individuals working together in a competitive activity which includes but is not limited to sports, cheerleading, dancing, music, debate, chess, scholastic trivia, robotics, and other competitive group activities.
>
> "Complete application form" shall mean a properly filled out application and all supporting documents.
>
> "Person" shall mean any person, entity, firm, corporation, partnership, association, administrator, trustee, or other fiduciary.
>
> "Public purpose" shall mean the objective of the promotion of public health, safety, morals, security, prosperity, contentment, and the general welfare of the community.

SECTION 2. COMMUNITY GRANT PROGRAM

The City of Daphne hereby adopts a Community Grant Program (hereinafter "CGP"). This Ordinance does not specially commit the City to any particular contribution of funds. As part of the

annual budgeting process the City Council will determine the financial commitment to the Community Grant Program.

SECTION 3. APPLICABILITY

Outside entities which provide public benefit, but not direct financial benefit, to the City of Daphne may only be funded by the City of Daphne in accordance with the CGP established herein. The CGP shall not apply to contributions and requests for contributions for memberships, dues, or contributions to entities whose efforts provide direct revenue to the City of Daphne. The City Council and Mayor shall jointly decide which entities must enter the CGP and which entities qualify under the aforementioned membership/dues/contributions exception to the CGP. Only upon extraordinary circumstances shown, the City Council may consider an exception to the terms and conditions of this ordinance. This exception may be granted by no less than five members of the City Council voting to approve such an exception.

SECTION 4. FUNDING CATEGORIES

The City has determined that there are classifications of activities that serve a Public Purpose and that benefit the citizens of the City of Daphne. These classifications include but are not limited to education, arts, culture, community beautification, environmental awareness, community heritage, supporting youth and seniors, tourism and economic development.

SECTION 5. FUNDING LIMITIONS

(a) The CGP has an annual maximum budget of one half of one percent (0.5%) of Budgeted Revenues for the General Fund. Annual contributions shall be limited to a maximum of five thousand dollars ($5,000) per entity for Fiscal year 2025 and increase to seven thousand five hundred dollars ($7,500) per entity in Fiscal year 2026 (hereinafter "Grant Cap").

(b) Due to the high number of funding requests from youth competitive teams, requests for contributions to competitive teams shall be treated as follows:

i. For competitive teams associated with a public school located in the City of Daphne, CGP contributions shall only be considered for such competitive teams who will travel away from Daphne to participate in a statewide, multi-state regional, national, or international competition..

ii. For competitive teams based within the City of Daphne that are not associated with a public school, CGP contributions shall only be considered for such competitive teams who will travel at least 150 miles away from the City of Daphne (or less if overnight stay is required) to participate in a multi-state regional, national, or international competition. Competitive sport teams that never or rarely compete within the City of Daphne (i.e., "travel ball") shall not be eligible for CGP funding.

iii. If time allows, a request for CGP contributions to a competitive team shall be presented to the City Council for consideration at a regularly-scheduled Council meeting. If a competitive team's need for funding arises under circumstances that do not allow enough time for the request to be presented to the City Council at a regularly-scheduled Council meeting, the Mayor, upon conferring with and obtaining approval from the Council President

and Vice-President, may consider such a request and shall have the authority to approve or deny such a request.

iv. Annual CGP contributions to competitive teams shall be limited to a maximum of eight thousand dollars ($8,000) per year. For competitive teams with fewer than thirty (30) participants, annual CGP contributions shall be limited to a maximum of five hundred dollars ($500) per entity. For competitive teams with thirty (30) or more participants, annual CGP contributions shall be limited to a maximum of one thousand dollars ($1,000) per entity.

v. Any contribution to a competitive team shall be included in the annual maximum budget for the CGP unless the Council determines, on a case-by-case basis, that a particular competitive team's activities will or may result in direct revenue to the City of Daphne.

SECTION 6. APPLICATION PROCESS

The City will create an approved Community Grant Application Form. The current version of the Community Grant Application Form is herein attached as an example but is not the definitive form. The form may be altered periodically by the Mayor or his designee. This Form will be the only manner in which a request for CGP funds will be entertained. The Application Form will specifically require that the applicant submit the organization's most recent audited financial statements. In the event that the organization does not have their financial statements audited, the most recent non-audited statements may satisfy the submission requirement. The Mayor has certain obligations and duties regarding the budget. Due to these obligations the Mayor will determine the deadline for submissions for the next fiscal year. Said deadline may appear on the Community Grant Form and/or by contacting City Hall.

Application forms will be available upon request from the City Clerk's office.

SECTION 7. SCHOOLS

The schools within the Daphne school feeder pattern of Daphne will not be funded directly and instead may only be provided funding through the Supporting Educational Enrichment in Daphne's Schools (hereinafter "SEEDS"). The maximum request from SEEDS will reflect the Contribution Cap for each of the participating schools within the Daphne city limits in addition to SEEDS individually each fiscal year. Therefore SEEDS, and by extension the public schools, are limited to the number of participating schools plus one (SEEDS itself) multiplied by the Grant Cap. Thus the amount paid directly to SEEDS may exceed the Grant Cap, but the amount utilized by SEEDS individually and not as a pass through will not exceed the maximum. Any other pass-through arrangement shall be disfavored.

SECTION 8. ANNUAL AUDIT

Should a participant in the CGP receive funds, the City reserves the right to inspect and audit any and all expenditures related to the CGP funds. If the CGP participant is non-cooperative or

cannot provide satisfactory back up documentation, their eligibility for future CGP funds will be suspended indefinitely.

SECTION 9. MAINTENANCE OF RECORDS

It shall be the duty of every person/entity receiving CGP funds to keep and preserve suitable records of the use of said funds. Such records shall be kept and preserved for a period of three (3) years and shall be open for examination at any time by the duly authorized representative of the City.

SECTION 10. SEVERABILITY

If any section, subsection, clause, provision or part of this Ordinance shall be held to be invalid or unconstitutional in a court of competent jurisdiction, such holding or holding shall not affect any other section, subsection, clause, provision or part of this Ordinance which is in itself and of itself valid and constitutional.

SECTION 11. REPEALER

This Ordinance expressly repeals and replaces Ordinance 2020-39. All other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 12. 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.

SECTION 13. INFORMATION MAY NOT BE DIVULGED

It shall be unlawful for any person connected with the administration of this Ordinance to divulge any information obtained by him/her in the course of inspection and examination of the books of account, invoices, bank statements, sales tax records, state and federal income tax records, or other reports and memoranda or the taxpayer made pursuant to the provisions hereof, except to the Mayor, the City Council, the City Attorney, the City Finance Director, or their agents or representative connected with the administration of this Code, or pursuant to court proceedings or process.

ADOPTED AND APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, ON THIS THE _____ DAY OF _____, 2024.

_____

Robin LeJeune, Mayor

ATTEST:

_____

Candace G. Antinarella, MMC, City Clerk