

CITY OF DAPHNE
1705 MAIN STREET, DAPHNE, AL
CITY COUNCIL BUSINESS MEETING AGENDA
August 6, 2018
6:30 P.M.

1. **CALL TO ORDER**
2. **ROLL CALL**
INVOCATION: Reverend Tommy Robinson, Christ Presbyterian Church
PLEDGE OF ALLEGIANCE

PROCLAMATION: Predazzer Lane
3. **APPROVE MINUTES:** **Council Meeting** – July 16, 2018
4. **REPORTS OF STANDING COMMITTEES**
 - A. **FINANCE COMMITTEE** – Rudicell
Review July 16, 2018 Finance Committee minutes
 - B. **BUILDINGS & PROPERTY COMMITTEE** – LeJeune
Review July 2018 Building Report
 - C. **PUBLIC SAFETY COMMITTEE** – Davis
 - D. **CODE ENFORCEMENT/ORDINANCE COMMITTEE** – Goodlin
 - E. **PUBLIC WORKS COMMITTEE** – Coleman
Review Environmental Advisory Committee minutes of July 23, 2018
5. **REPORTS OF SPECIAL BOARDS & COMMISSIONS**
 - A. **BOARD OF ZONING ADJUSTMENTS** – Adrienne Jones
 - B. **DOWNTOWN REDEVELOPMENT AUTHORITY** – Conaway
 - C. **INDUSTRIAL DEVELOPMENT BOARD** – Davis
DISC Update
 - D. **LIBRARY BOARD** – Rudicell
 - E. **PLANNING COMMISSION** – Scott
Review minutes of June 28, 2018 regular meeting and report of July 26, 2018 regular meeting.
 - F. **RECREATION BOARD** – LeJeune
 - G. **UTILITY BOARD** – LeJeune
Review June 27, 2018 Utility Board minutes
6. **MAYOR’S REPORT**
7. **CITY ATTORNEY REPORT**
8. **DEPARTMENT HEAD REPORTS**
9. **CITY CLERK’S REPORT**

City Council Agenda – August 6, 2018

MOTION to approve the publication and set a public hearing on September 17, 2018 for the Vacation of Easement of Lot 96, Ottawa Springs Subdivision.

MOTION to approve the publication and set a public hearing on September 17, 2018 for the zoning amendment of the Alex Yeoman and Raymond Harris property, Lots 131 and 135 Lake Front Drive.

MOTION to approve the publication and set a public hearing on September 17, 2018 for the zoning amendment of the Jacob's Well, LLC property located west of the intersection of Lavender Lane and US Highway 98 and east of the intersection of Daphne Court and Falkenberry Lane.

10. PUBLIC PARTICIPATION

11. RESOLUTIONS & ORDINANCES

A. RESOLUTIONS:

2018-34 – Resolution supporting the Alabama Bicentennial Commission

2018-35 – Acceptance of Streets and Drainage – Winged Foot Subdivision Phase 2A

2018-36 – Acceptance of Streets and Drainage – Winged Foot Subdivision Phase 2B

B. 2ND READ ORDINANCES:

2018-27 – Revisions to the City of Daphne Zoning District Map

2018-29 – Appropriation – Police Equipment for adding three (3) additional School Resource Officers to the City of Daphne Schools

C. 1ST READ ORDINANCES:

12. COUNCIL COMMENTS

13. ADJOURN

CITY OF DAPHNE, ALABAMA

Proclamation

WHEREAS; with its name rooted in Greek mythology, Daphne, Alabama has a strong identity steeped in Italian culture; and

WHEREAS; some of the earliest Eastern Shore settlers, Italian immigrant farmers, overcame obstacles to create a prosperous community for themselves; and

WHEREAS; many descendants of the area's original Italian families will share stories of deprivation, hard labor and eventual success; and

WHEREAS; Giovanni Battista Predazzer, originally of Trentino, Italy, was one of the Founding Fathers of Daphne's Italian Colony, coming to the area in 1898; and

WHEREAS; there are at least a hundred descendants of the Predazzer family living throughout Daphne and Baldwin County; and

WHEREAS; the Predazzer family name was lost in Baldwin County in 1912 when Ralph Predazzer tragically passed away; and

WHEREAS; Daphne's Predazzer Farm continued in the family until its recent sale.

NOW,
THEREFORE; I, Dane Haygood, as the Mayor of the City of Daphne, Alabama, do hereby proclaim the renaming of Casper Drive to

PREDAZZER LANE

in the Wingfoot subdivision in the City of Daphne, in honor of the Predazzer family.



Dane Haygood, Mayor

ATTEST:



Candace G. Antinarella, City Clerk

**July 16, 2018
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

1. CALL TO ORDER:

There being a quorum present Council President Conaway called the meeting to order at 6:30 p.m.

2. ROLL CALL:

COUNCIL MEMBERS PRESENT: Tommie Conaway, Pat Rudicell, Joel Coleman, Doug Goodlin, Ron Scott, Robin LeJeune and Joe Davis

Also Present: Brandy Volovecky, Assistant City Clerk; Jay Ross, City Attorney; David Carpenter, Police Chief; Vickie Hinman, Human Resources Director; Adrienne Jones, Planning Director; Kelli Kichler, Finance Director/Treasurer; David McKelroy, Recreation Director; Jeremy Sasser, Public Works Director; Betsy Schneider, Operations Director; Troy Strunk, Executive Director, City Development; Margaret Thigpen, Civic Center Director; James White, Fire Chief; and Tonja Young, Library Director

INVOCATION/PLEDGE OF ALLEGIANCE:

Invocation was given by Mayor Haygood.

PUBLIC HEARING:

Revision to the City of Daphne Zoning District Map

Adrienne Jones spoke on the topic and explained to the City Council that this is the twice a year codification to the zoning map with the new annexation, rezoning and recent street changes. The public hearing opened at 6:33pm. No one spoke. Public hearing closed at 6:33pm.

3. APPROVE MINUTES:

The minutes of the July 2, 2018 regular meeting were approved.

4. REPORT OF STANDING COMMITTEES:

A. FINANCE COMMITTEE

Councilman Rudicell said the Finance Committee meets the third Monday of the month and welcomes everyone to come.

B. BUILDINGS & PROPERTY COMMITTEE

Councilman LeJeune said the minutes from the June meeting are in the packet.

C. PUBLIC SAFETY COMMITTEE

Councilman Davis said the minutes from the June 11, 2018 meeting are in the packet.

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE

Councilman Goodlin said the next meeting will be the August 6, 2018 at 4:30pm.

E. PUBLIC WORKS COMMITTEE

Councilman Coleman said the minutes from the June Museum meeting are in the packet and the next Public Works Committee meeting will be August 6 at 5:30pm.

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments

No report.

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B. Downtown Redevelopment Authority

**MOTION by Councilman Rudicell to appoint Taylor Wilkins III as a member of the Downtown Redevelopment Authority, for a pro-rata reduced six (6) year term, said term to commence on July 16, 2018 and expire on March 1, 2022 (the remainder of Brandy Lister's unexpired term).
Seconded by Councilman Scott.**

MOTION CARRIED UNANIMOUSLY.

C. Industrial Development Board

Councilman Davis said there are several members of the IDB present and the chairman Steve Carey will come forward and give an update on the DISC project.

Steve Carey provided an update and proved a timeline. A preconstruction meeting was held on June 22 and they began moving dirt on July 9, 2018. They have submitted an additional \$1.5 million grant to the EDA.

D. Library Board

Councilman Rudicell said the Library Board met last Thursday. The board meets the second Thursday of the month at 4:00pm.

E. Planning Commission

Councilman Scott said the next Planning Commission meeting is Thursday, July 26, 2018 at 5 p.m. The minutes from the May 24, 2018 meet are in the packet.

F. Recreation Board

Councilman LeJeune complimented the July 4 festivities. The Park Drive facility is moving along. Lott Park bid be coming up soon and we looking for a completion goal of February or March.

G. Utility Board

No report.

6. MAYOR'S REPORT:

Mayor Haygood has worked on the ESRT lease and has tried to mitigate some of the contentions with pickle ball as well as basketball. There is a good framework in place to make all parties happy. There are ongoing negotiations with Ruff Wilson and we have attorneys reviewing the documents.

The Mayor welcomed Boy Scout Troop 87 from Christ the King led by Jay Watkins and Jim Conwell working on their civics lesson.

Mayor Haygood thanked the IDB Committee for their hard work as well as thanks to our first responders for an extremely busy weekend. Mayor welcomed Taylor Wilkins as a great asset to the DRA.

7. CITY ATTORNEY REPORT:

No report.

8. DEPARTMENT HEAD COMMENTS:

Chief White mentioned recent lightning strikes but no residents were injured.

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David McElroy, Recreation Director, said the 9U baseball team lost in the semifinals and the 11U baseball team won and qualified for the 11U World Series and prequalified for the 12U World Series next year. Daphne has been approached about hosting a regional tournament in 2019.

Margaret Thigpen, Civic Center Director, said there is voting tomorrow so the civic center parking lot will be full.

9. CITY CLERK'S REPORT:

MOTION by Councilman Scott to appoint Andrea Lomax to the Education Advisory Committee. Seconded by Councilman Rudicell.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman LeJeune to appoint Norma Davis to the Education Advisory Committee. Seconded by Councilman Scott.

MOTION CARRIED UNANIMOUSLY.

Councilman Scott recommended that we have individuals who do not live within the City of Daphne to be involved in this committee. Councilman Conaway indicated we still have openings on this committee.

Mayor Haygood introduced Randy Jones who has been recently promoted as the Solid Waste Coordinator

10. PUBLIC PARTICIPATION:

Public Participation was opened at 6:57 p.m.

Don Ouellette, Elizabeth Drive, Daphne, asked about a soccer field behind a church on Whispering Pines and what is the status. The Mayor responded that they did acquire the land and provided background on Daphne Strike. Councilman Goodlin referenced the extension of the City guarantee.

Rod Drummond, Ridgewood Drive, complimented the first responders. He also indicated he had a fox in his years and called 911. Daphne Police responded and provided the direct number to the police department the animal control responded and suggested he contact Fish and Wildlife. Chief Carpenter responded that everyone should call 621-9100 if they have an issue.

Sean Gibbs, 9792 Camberwell Drive, Daphne, attended a meeting in January requesting stop signs in his subdivision and is checking on status. Mayor Haygood said he will get with the Public Works Director to be sure they have a visit this week.

Kirk Fondren, 1443 Randall Avenue, Daphne, attended the Public Safety meeting and spoke in regard to the speeding issue on Randall Avenue. Thanked the council for listening to the concerns. Invited everyone to attend committee meetings.

There being no further requests to speak, public participation was closed at 7:07 p.m.

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11. RESOLUTIONS & ORDINANCES:

RESOLUTIONS:

2018 -32 - A Resolution Declaring Certain Personal Property Surplus and Authorizing the Mayor to Dispose of Such Property

MOTION by Councilman Scott to waive the reading of Resolution 2018-32. Seconded by Councilman LeJeune.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to adopt Resolution 2018-32. Seconded by Councilman Coleman.

MOTION CARRIED UNANIMOUSLY.

ORDINANCES:

2nd READ:

2018-26 - Appropriation: Daphne Sports Complex Phase 2 & 3: Excess Engineering Fees – Hutchinson, Moore & Rauch, LLC

MOTION by Councilman Scott to waive the reading of Ordinance 2018-26. Seconded by Councilman LeJeune.

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to adopt Ordinance 2018-26. Seconded by Councilman LeJeune.

MOTION CARRIED UNANIMOUSLY.

1st READ:

2018-27 - Revisions to the City of Daphne Zoning District Map

12. COUNCIL COMMENTS:

Councilman Davis complimented Steve Carey and Denis Kearney and the IDB Board and encourage everyone to attend the public meetings. Welcome to Troop 87. Encourage everyone to vote tomorrow.

Councilman Coleman thanked the Mayor and Council for working toward getting ESRT in Daphne.

Councilman Rudicell mentioned the Special Called Council meeting and public hearing next Monday night as the council is looking for guidance on the school tax district.

Mayor Haygood gave a background on the school tax district.

Council President Conaway welcomed an additional Boy Scout troop that came in late. She also thanked the Department Heads for the job that they do every day.

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13. ADJOURN:

THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE MEETING ADJOURNED AT 7:19 P.M.

Respectfully submitted by,

Certification of Presiding Officer

Candace G. Antinarella, City Clerk

Tommie Conaway, Council President

CITY OF DAPHNE
FINANCE COMMITTEE MINUTES
JULY 16, 2018
4:30 P.M.

I. CALL TO ORDER/ROLL CALL

The meeting was called to order at 4:40 p.m.

Present were:

Chairman Mr. Pat Rudicell

Councilwoman Mrs. Tommie Conaway

Councilman Mr. Joel Coleman

Councilman Mr. Doug Goodlin

Councilman Mr. Ron Scott

Councilman Mr. Robin LeJeune

Councilman Mr. Joe Davis

Also Present: Finance Director Ms. Kelli Kichler, Public Works Director Mr. Jeremy Sasser, Operations Manager Mrs. Betsy Schneider, City Development Executive Director Mr. Troy Strunk, Police Chief David Carpenter, Police Captain Jud Beedy, Civic Center Director Mrs. Margaret Thigpen, Library Director Ms. Tonja Young, Environmental Program Manager Mrs. Ashley Campbell, Revenue Officer Mrs. Courtney Coleman, Assistant to City Clerk Ms. Brandy Volevecky, and City Attorney Mr. Patrick Dungan.

II. PUBLIC PARTICIPATION

A. Mobile Bay National Estuary Program (MBNEP) – Ms. Roberta Swann

Ms. Swan presented a handout detailing several D'Olive restoration projects that MBNEP had worked on since 2012 and a request for a contribution in the FY2019 Budget of \$50,000. The report showed the total costs for the projects listed was \$12,209,006. Ms. Swan presented a video which showed some of the locations of some of the MBNEP projects. Discussion continued about funding sources from other governmental municipalities.

MOTION BY Mr. Scott to recommend to Mayor to include a \$50,000 Community contribution to Mobile Bay National Estuary Program in the proposed FY2019 Budget to be funded from the Bayfront Lodging Tax Funds. Seconded by Mr. Davis.

MOTION CARRIED UNANIMOUSLY

A. Discuss Museum: Part-time Employee request

III. APPROVE MINUTES FOR THE PREVIOUS MEETING

The previous minutes were approved.

IV. HUMAN RESOURCES BUSINESS

A. Update on Human Resources Department Activity

The Human Resource Report was included in the packet:

- Open positions – 1
- Reviewing/Testing/Interviewing - 7
- Promotions - 1
- New Hires - 5

An update was provided by Mr. Troy Strunk on the GIS Analyst position noting the anticipated start date is August 2, 2018.

Other HR projects/meetings/events:

Corrections Officer testing – July 10, 2018

Police Oral Boards – July 18, 2018

Benefits Fair scheduled for July 31, 2018 – August 2, 2018

Volunteer Coordinator RSVP recruiting/events:

Saturday June 23rd from 9-2 - Nine employees participated in Habitat Women Build fundraising -team goal of \$5000 – final total: \$5426

Living Alabama Class – July 24th Spanish Fort Senior Center

Matter of Balance Class- September 5, 2018 Daphne Senior Center

2nd Medicare Informational Meeting- City Hall September 27, 2018
 Senior Expos – October 3 - need 10-12 volunteers
 Advisory Council – need 5 additional members

B. Overtime Report

The overtime report was included in the packet.

V. BUSINESS LICENSE REPORT

A. Report: New Business Licenses – June, 2018

Mrs. Coleman reviewed the following reports and information:

- Code enforcement issued 16 warnings resulting in businesses becoming compliant and \$2,163 in revenue.
- New Businesses with a physical location in Daphne - 9

Business License Fee Historical Comparison 2017 / 2018				
	FY 17	FY 18	+/- Previous Year	Budget 2017 * \$2,150,000
October	\$7,103.71	\$5,258.84	(\$1,844.87)	(\$2,144,741.16)
November	\$11,604.68	\$8,566.59	(\$3,038.09)	(\$2,136,174.57)
December	\$33,347.73	\$41,564.84	\$8,217.11	(\$2,094,609.73)
January	\$1,301,664.28	\$1,420,279.64	\$118,615.36	(\$674,330.09)
February	\$603,134.76	\$569,031.88	(\$34,102.88)	(\$105,298.21)
March	\$154,190.39	\$183,259.10	\$29,068.71	\$77,960.89
April	\$42,906.33	\$29,229.51	(\$13,676.82)	\$107,190.41
May	\$27,884.36	\$15,686.44	(\$12,197.92)	\$122,876.85
June	\$13,209.58	\$16,524.34	\$3,314.76	\$139,401.19
Year to Date	\$2,195,045.82	\$2,289,401.19	\$94,355.36	\$139,401.19
* Amounts include penalty and interest.				

BUSINESS LICENSE COUNT through 6/30/2018	
Issued THIS MONTH:	
NEW Licenses	44
RENEWAL Licenses (2018)	45
PRIOR YEAR Licenses (2017 and Prior)	1
Total Issued THIS MONTH	90
Total Issued THIS MONTH - PREVIOUS YEAR	85
Net Gain/-Loss Current VS Previous Yr MONTH	+ 5
Total Issued YTD 2018	4,087
Total Issued YTD - PREVIOUS YEAR	4,302
Net Gain/-Loss Current VS Previous Yr YTD	-215

VI. SALES & LODGING TAX REPORT

A. Sales and Use Taxes: May, 2018

Ms. Kichler reviewed the Sales & Use Tax Reports and Graphs: \$1,433,067.31 was collected for May, 2018 which was up \$157,775.94 from May 2017's collections: :

- YTD Variance over Budget - \$ 541,527.21

B. Lodging Tax Collections, May, 2018

Ms. Kichler reviewed the Lodging Tax Collections Report and noted the collections for May, 2018 were \$106,143.76 which is down (\$33,077.58) from May 2017's collection. Ms. Kichler indicated that the decrease from last year was due to one hotel in FY2017 catching up on missed payments. This payment was in excess of \$30,000.

- YTD Variance over Budget: \$21,059.89

C. Lodging Tax Fund : Statement of Rev over Exp, June, 2018

Ms. Kichler reviewed the Lodging Tax Statement of Revenues over Expenditure report for June, 2018.

- Unreserved balance for Bayfront related purchases - \$887,228.90
- Recreation related purchases - \$1,434,033.61

VII. FINANCIAL SCHEDULES & REPORTS

A. Financial Reports

1. Treasurer's Report: June, 2018

Ms. Kichler reviewed the Treasurer's Report:

TREASURER'S REPORT As of June 30, 2018						
Account Type/Title	Bank / Brokerage	6/30/2018	5/31/2018	Increase (Decrease) from last Month	6/30/2017	Increase (Decrease) from Last Year
GENERAL FUND & ENTERPRISE FUNDS	Compass Bank1	\$ 8,293,410	\$ 9,818,208	\$ (1,524,798)	\$ 6,955,946	\$ 1,337,464
CERTIFICATE OF DEPOSIT	Trustmark Bank	502,134	500,000	2,134.36	-	502,134
INVESTMENT FUND	Raymond James	5,297,381	5,256,468	40,913	5,395,400	\$ (98,019)
CREDIT CARD ACCOUNT	Compass Bank3	12,106	10,172	1,934	500	\$ 11,606
Total Unrestricted Cash Balance		14,105,031	15,584,848	(1,479,817)	12,351,846	1,753,185
Total Restricted Cash Balance		16,477,495	16,421,968	55,527	20,297,643	(3,820,148)
Total City Cash Balance		\$ 30,582,526	\$ 32,006,816	\$ (1,424,290)	\$ 32,649,489	\$ (2,066,963)
Encumbrance Total as of				6/30/2018	\$ 422,021.68	

The Treasurer's Report as of JUNE, 2018 Total Unrestricted Cash Balance - \$14,105,031 and Total City Cash Balance - \$30,582,526 was presented to be filed for audit.

2. Encumbrance Report

- Encumbrance balance is - \$422,021.68 as of June 30, 2018.

Ms. Kichler reviewed the Encumbrance Report noting no significant changes.

3. Outstanding Appropriations

Ms. Kichler reviewed the Outstanding Appropriations report.

4. Financial Overview: Debt Summaries & Monthly Financial Statements, May, 2018

Ms. Kichler reviewed the following Financial Statements:

- Debt Summary Schedules (General & Enterprise Funds), June, 2018
- Jubilee Square: Debt payments are currently fully paid through December thus 18 months in arrears. Arrearage includes \$866,480 in principal and \$271,293 in interest

General Fund:

- | | <u>FY 2018</u> | <u>FY 2017</u> | <u>Change</u> |
|--|----------------|----------------|---------------|
| • YTD Net Income: | \$3,385,681 | \$428,019 | \$2,957,662 |
| • Total sales tax collected year to date is approximately \$849,000 over prior year and \$542,000 over budgeted income | | | |
| • Total licenses and permits is approximately \$315,000 over prior year income | | | |
| • Grant income is approximately \$200,000 under prior year income | | | |
| • There were three pay periods in the month of May | | | |

- Per budget amendment appropriation, \$466,000 was transferred in May 2018 from the General Fund to the Capital Reserve Fund to help fund recreation improvements
- The annual \$100,000 contribution was received from the Volunteer Firefighters for assistance with the lease payment of the new fire trucks purchased in FY 2015 and FY 2018
- Unassigned Fund Balance: \$15,689,270
- Outstanding Encumbrances: \$427,207

Debt Service Fund/Outstanding Debt:

- Outstanding Warrant Balance as of May 31, 2018: \$39,130,852
- Outstanding Capital Lease Balance as of May 31, 2018:
 - o General Fund: \$1,131,910
 - o Enterprise Funds: \$338,994

Capital Project Funds (Capital Reserve, 2016 Construction, and 2017 Construction):

- YTD Park Improvements Expenditures: \$3,278,161
- YTD: CR 13 Sidewalk Expenditures: \$337,884 (TAP grant received for 80% of cost)

Special Revenue Funds (12 separate funds):

- Lodging Tax Fund –
 - o Bayfront Unreserved Fund Balance: \$1,428,089
 - o Recreation Unreserved Fund Balance: \$874,856
 - o Total lodging tax collected year to date is approximately \$14,000 under prior year and \$21,000 over budgeted income. A one-time payment of back taxes was received in May 2017 from one lodging institution in excess of \$30,000

Enterprise Funds (Solid Waste, Civic Center, and Bayfront):

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

	<u>FY 2018</u>	<u>FY 2017</u>	<u>Change</u>
Solid Waste Fund	\$224,481	\$267,219	\$ <42,738>
Civic Center Fund	\$156,295	\$183,767	\$ <27,472>
Bayfront Park Fund	\$114,402	\$101,788	\$ 12,614

5. Future Projects Summary

Ms. Kichler reviewed the Future Projects Summary. Discussion continued on increasing the repaving initiative to \$1,000,000 annually due to the immediate road needs. Mr. Rudicell asked that the pier extension at Bayfront be added to the report as a conceptual phase.

6. Summary of Budgetary Amendments

The Summary Budgetary Amendments report was included in the packet showing adjusted Expenses over Revenue are (\$713,522) with appropriations.

B. Investment Summary: Year over Year Summary

Ms. Kichler reviewed the Money Market Investment Account showing activity comparisons from October 2010 through May 2018. The report showed a decrease in value for the last two years but a Total-to Date increase of \$468,505.45 (\$763,797.40 – 295,291.95/fees). Mr. Coleman brought up the large decrease in the balance from last year as noted in the Treasurer's Report. Discussion continued on the involvement of the current investment manager. Council recommended that they would like the Treasurer to begin working on a RFQ and report back when complete.

C. Bills Paid Reports – June, 2018

The Bills Paid Report was presented in the packet.

VIII. APPROPRIATION REQUESTS: (Ordinance)

A. Police: Equipment and authorize (3) School Resource Officer positions- \$202,343

A memo requesting three additional School Resource Officers (SRO) and a detail list of needed equipment was included in the packet. Discussion was made on the need for these new SRO positions and that it should be included on the agenda as a first read at a Special called Council meeting (on July 23, 2018).

MOTION BY Mr. Scott to recommend to Council to adopt the Ordinance to approve three new positions for School Resource Officers and to amend the budget to appropriate \$202,342.89 from the General Fund for vehicles, equipment, and training for these three positions. Seconded by Mr. Davis.

MOTION CARRIED UNANIMOUSLY

IX. NEW BUSINESS

B. Discuss Community Grant contributions that exceed allowable contribution limit:

1. Eastern Shore Chamber of Commerce - \$6,000 + \$15,000 Chamber dues

2. Mobile Bay National Estuary Program - \$50,000

Discussion was made on the contributions that exceed the allowable contribution limit. Discussion continued that the Mayor wanted to get Council's input concerning these contributions in order to give guidance on what amounts to include in the proposed FY2019 Budget. A letter from the Eastern Shore Chamber of Commerce requesting a \$15,000 contribution for Chamber dues and \$6,000 contribution for Community Contribution was included in the packet. Discussion continued on recommending \$5,000 for dues.

MOTION BY Mr. Scott to recommend to Mayor to include a \$15,000 to the Eastern Shore Chamber of Commerce for Chamber dues and \$5,000 for Community Contribution from the General Fund in the proposed FY2019 Budget. Seconded by Mr. Davis.

MOTION CARRIED UNANIMOUSLY

C. Discuss Museum: Part-time Employee request

Discussion was made on the need to create a part-time position for the Daphne Museum. Mrs. Betsy Schneider was requested to obtain some additional information to assist in creating a new job description.

X. OLD BUSINESS

A. Musco Lighting Lease (DSC), NJPA/Sourcewell Contract--50 % Down / 50% Lease

Information on leasing the lighting for the Daphne Sports Complex was included in the packet as requested from the June Finance Committee meeting. Discussion was made on the lease payment options including making a 50% down payment to reduce the annual lease payment.

MOTION BY Mr. Scott to recommend to Council to adopt an resolution authorizing the Mayor to enter into lease agreement with Musco for the purchase of lighting for Daphne Sports Complex in the amount of \$811,500 (full purchase cost \$1,623,000 with 50% down) and annual payment amount of \$177,569.17 over a period of five years at 3.95%. Seconded by Mr. Coleman.

MOTION CARRIED UNANIMOUSLY

MOTION BY Mr. Scott to recommend to Council to adopt the Ordinance to appropriate \$811,500 from the General Fund to be transferred to the Capital Reserve Fund for the 50% down payment to Musco for the lease purchase of lighting for the Daphne Sports Complex. Seconded by Mr. Coleman.

MOTION CARRIED UNANIMOUSLY

B. Daphne Sports Complex Phase II Update

Discussion was made on site issues at the Daphne Sports Complex. Discussion continued on pending work to be done by the contractor to resolve these issues.

XI. ADJOURN

The meeting adjourned at 6:25 p.m.

Permit Activity Report

New Construction July 2018

Wednesday, August 1, 2018

Permit Code From: BL To: BL
Issued Date From: 7/1/2018 To: 7/31/2018
Improvement Type: NEW

Permit Code: BL

BUILDING PERMIT

Residential - NEW - R1 BL Permits

ConID/Loc#	Contractor Name/Location Name	Permit #/Project	Master Permit #	Job Location Address	Paid	Status	Issue Date	App Date	Job Value/Cost	Permit Fee
3197-1	MONARCH HOMES MONARCH HOMES	18-1032		6556 VIA DE LA ROSA Daphne, AL 36526	Yes	A	07/02/2018	07/02/2018	\$213,300.00	\$1,085.00
							ESTATES OF OLD DAPH	SQ. FT		Lot:

Total Residential - NEW - R1 BL Permit(s) 1 \$213,300.00 \$1,085.00

Residential - NEW - R3 BL Permits

ConID/Loc#	Contractor Name/Location Name	Permit #/Project	Master Permit #	Job Location Address	Paid	Status	Issue Date	App Date	Job Value/Cost	Permit Fee
5278-1	D R HORTON INC - BIRMINGHAM D R HORTON INC - BIRMINGHAM	18-1187		8266 IRWIN LOOP Daphne, AL 36526	Yes	A	07/27/2018	07/27/2018	\$139,350.00	\$715.00
							WINGED FOOT	SQ. FT		Lot:
5754-1	TRULAND HOMES TRULAND HOMES	18-1133		27089 Gramercy Lane Daphne, AL 36526	Yes	A	07/20/2018	07/20/2018	\$145,350.00	\$745.00
							Brookhaven	SQ. FT		Lot: 53
6212-1	DUKES HOMES INC DUKES HOMES INC	18-1036		29748 DOUGLAS ROAD Daphne, AL 36526	Yes	A	07/05/2018	07/05/2018	\$135,600.00	\$695.00
							DaPHNE	SQ. FT		Lot:

Total Residential - NEW - R3 BL Permit(s) 3 \$420,300.00 \$2,155.00

Residential - NEW - R2 BL Permits

ConID/Loc#	Contractor Name/Location Name	Permit #/Project	Master Permit #	Job Location Address	Paid	Status	Issue Date	App Date	Job Value/Cost	Permit Fee
5754-1	TRULAND HOMES TRULAND HOMES	18-1132		8580 North Lamhatty Lane Daphne, AL 36526	No	A	07/20/2018	07/20/2018	\$224,850.00	\$1,140.00
							Estates of Tiawasee	SQ. FT		Lot: 29

Total Residential - NEW - R2 BL Permit(s) 1 \$224,850.00 \$1,140.00

Residential - NEW - R4 - HIGH DENSITY RESIDENTIAL BL Permits

ConID/Loc#	Contractor Name/Location Name	Permit #/Project	Master Permit #	Job Location Address	Paid	Status	Issue Date	App Date	Job Value/Cost	Permit Fee
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84-1	ADAMS HOMES, LLC ADAMS HOMES, LLC	18-1136	27453 ELISE CT Daphne, AL 36526	Yes Sub Division: Caroline Woods	A 07/20/2018	07/20/2018	\$125,610.00	SQ. FT	Lot: 102	\$645.00
84-1	ADAMS HOMES, LLC ADAMS HOMES, LLC	18-1135	27508 ELISE COURT Daphne, AL 36526	Yes Sub Division: Caroline Woods	A 07/20/2018	07/20/2018	\$103,590.00	SQ. FT	Lot: 121	\$535.00
275-1	ARK BUILDERS LLC ARK BUILDERS LLC	18-1079	26113 VIA DEL SAN FRANCESCO Daphne, AL 36526	Yes Sub Division: La CASA VIA DEL SAN F	A 07/16/2018	07/16/2018	\$141,600.00	SQ. FT	Lot:	\$725.00

Total Residential - NEW - R4 - HIGH DENSITY RESIDENTIAL BL Permit(s) 3 \$370,800.00 \$1,905.00

Residential - NEW - R-6D BL Permits

ConID/Loc#	Contractor Name/Location Name	Permit #/Project	Master Permit #	Job Location Address	Paid	Status	Issue Date	App Date	Job Value/Cost	Permit Fee
6311-1	DSL D HOMES, LLC	18-1064		23624 DEVONFIELD LANE Daphne, AL 36526	Yes	A	07/12/2018	07/12/2018	\$133,680.00	\$685.00
	DSL D HOMES, LLC					Sub Division: Old Field			SQ. FT	Lot: 45

Total Residential - NEW - R-6D BL Permit(s) 1 \$133,680.00 \$685.00

Residential - NEW - R-6G BL Permits

ConID/Loc#	Contractor Name/Location Name	Permit #/Project	Master Permit #	Job Location Address	Paid	Status	Issue Date	App Date	Job Value/Cost	Permit Fee
5754-1	TRULAND HOMES TRULAND HOMES	18-1130		7866 Elderberry Drive Daphne, AL 36526	Yes	A	07/20/2018	07/20/2018	\$157,200.00	\$805.00
						Sub Division: Timber Creek			SQ. FT	Lot: 52

Total Residential - NEW - R-6G BL Permit(s) 1 \$157,200.00 \$805.00

Residential - NEW - PUD R-3 BL Permits

ConID/Loc#	Contractor Name/Location Name	Permit #/Project	Master Permit #	Job Location Address	Paid	Status	Issue Date	App Date	Job Value/Cost	Permit Fee
5278-1	D R HORTON INC - BIRMINGHAM D R HORTON INC - BIRMINGHAM	18-1207		8248 IRWIN LOOP Daphne, AL 36526	Yes	A	07/31/2018	07/31/2018	\$139,350.00	\$715.00
						Sub Division: WINGED FOOT			SQ. FT	Lot: 28
5278-1	D R HORTON INC - BIRMINGHAM D R HORTON INC - BIRMINGHAM	18-1188		8286 IRWIN LOOP Daphne, AL 36526	Yes	A	07/27/2018	07/27/2018	\$125,310.00	\$645.00
						Sub Division: WINGED FOOT			SQ. FT	Lot: 24
5278-1	D R HORTON INC - BIRMINGHAM D R HORTON INC - BIRMINGHAM	18-1186		8258 IRWIN LOOP Daphne, AL 36526	Yes	A	07/27/2018	07/27/2018	\$123,390.00	\$635.00
						Sub Division: WINGED FOOT			SQ. FT	Lot: 27

5278-1	D R HORTON INC - BIRMINGHAM	18-1185	8323 IRWIN LOOP	Yes	A	07/27/2018	07/27/2018	\$122,100.00	\$630.00
	D R HORTON INC - BIRMINGHAM		Daphne, AL 36526	Sub Division:	WINGED FOOT		SQ. FT		Lot: 47

Total Residential - NEW - PUD R-3 BL Permit(s)									
						4		\$510,150.00	\$2,625.00
Total Residential - NEW BL Permit(s)									
						14		\$2,030,280.00	\$10,400.00
Total Residential BL Permit(s)									
						14		\$2,030,280.00	\$10,400.00

Non Residential - NEW - B2 BL Permits

ConID/Loc#	Contractor Name/Location Name	Permit #/Project	Master Permit #	Job Location Address	Paid	Status	Issue Date	App Date	Job Value/Cost	Permit Fee
6406-1	CUNNINGHAM DELANEY CONSTR	18-1044		7060 PARK DRIVE	Yes	A	07/10/2018	07/09/2018	\$1,955,000.00	\$11,730.00
	CUNNINGHAM DELANEY CONSTR			Daphne, AL 36526	Sub Division:				SQ. FT	Lot:

Total Non Residential - NEW - B2 BL Permit(s)									
						1		\$1,955,000.00	\$11,730.00
Total Non Residential - NEW BL Permit(s)									
						1		\$1,955,000.00	\$11,730.00
Total Non Residential BL Permit(s)									
						1		\$1,955,000.00	\$11,730.00
Total BL Permit(s)									
						15		\$3,985,280.00	\$22,130.00
Grand Totals									
						15		\$3,985,280.00	\$22,130.00

July 2018

Certificate Of Occupancy Report

Printed On : 8/1/2018

CO Issued Date From: 7/1/2018 To: 7/31/2018

Permit Number	CO Issued	Owner Name	Address	Sub Division	Status
17-1509	7/2/2018	TRULAND HOMES	30002 TAMARACK DRIVE	Timber Creek	
17-1690	7/5/2018	TRULAND HOMES	27148 GRAMERCY LANE	Brookhaven	
18-62	7/5/2018	TRULAND HOME	27137 GRAMERCY LANE	Brookhaven	
17-1407	7/13/2018	MERCHANTS & MARINE BAN	27765 US HWY 98	MERCHANTS & MARINE BA	
18-107	7/17/2018	D R HORTON	8350 IRWIN LOOP	WINGED FOOT	
17-1059	7/18/2018	ADAMS HOMES	27450 ELISE CT	CAROLINE WOODS	
17-1691	7/19/2018	TRULAND HOMES	27156 GRAMERCY LANE	Brookhaven	
17-1715	7/23/2018	ADAMS HOMES	27426 Elise ct	Caroline Woods	
18-332	7/23/2018	D R HORTON	8361 OGILVY COURT	WINGED FOOT	
18-101	7/26/2018	D R HORTON	23917 DUBLIN DRIVE	Dunmore	
18-403	7/30/2018	TRULAND HOMES	8839 LONGUE VUE BLVD	French Settlement	
18-56	7/30/2018	TRULAND HOMES	27035 ALLENBROOK COURT	Brookhaven	
18-90	7/30/2018	D R HORTON	8360 IRWIN LOOP	WINGED FOOT	
18-160	7/31/2018	D R HORTON	8328 IRWIN LOOP	WINGED FOOT	

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July 2018

Permit Activity Summary Report

Wednesday, August 1, 2018

Permit Code From: BL To: xSG

Issued Date From: 7/1/2018 To: 7/31/2018

Permit Code	Description	# Of Permits	Job Cost/Value	Permit Fee
BL	BUILDING PERMIT	55	\$4,747,452.15	\$27,200.00
EL	ELECTRICAL PERMIT	30	\$109,946.44	\$1,971.50
EL-NEW	ELECTRICAL - NEW	10	\$114,450.00	\$1,650.00
LD	LAND DISTURBANCE	17	\$0.00	\$2,000.00
ME	MECHANICAL PERMIT	9	\$194,703.00	\$2,795.00
ME-NEW	MECHANICAL - NEW	16	\$0.00	\$2,220.00
PL	PLUMBING PERMIT	15	\$241,200.00	\$3,517.00
PL-NEW	PLUMBING - NEW RESIDENTIAL	24	\$125,610.00	\$2,555.00
Grand Totals		176	\$5,533,361.59	\$43,908.50

Additional fees \$4,923.43
\$48,831.93

All Building Permits July 2018

Periodic Report of Permits Issued by Improvement

08/01/2018

Issued Date From: 7/1/2018 To: 7/31/2018

		Code	Count	# Of Units	Valuation	Permit Fee
BUILDING PERMIT						
Residential						
REINSPECTION FEE	R1	BL	1			\$50.00
REINSPECTION FEE	R4 - HIGH DENSITY R	BL	1			\$50.00
REINSPECTION FEE	PUD R-3	BL	4			\$200.00
NEW	R1	BL	1		\$213,300.00	\$1,085.00
NEW	R3	BL	3		\$420,300.00	\$2,155.00
NEW	R2	BL	1		\$224,850.00	\$1,140.00
NEW	R4 - HIGH DENSITY R	BL	2		\$245,190.00	\$1,260.00
NEW	R-6D	BL	1		\$133,680.00	\$685.00
NEW	R-6G	BL	1		\$157,200.00	\$805.00
NEW	PUD R-3	BL	4		\$510,150.00	\$2,625.00
REPAIR	R1	BL	1		\$24,979.24	\$140.00
REPAIR	R3	BL	1		\$2,000.00	\$25.00
REMODEL	R1	BL	1		\$250,000.00	\$1,265.00
RE-ROOF	R1	BL	1		\$9,200.00	\$65.00
RE-ROOF	R3	BL	9		\$102,381.71	\$820.00
RE-ROOF	R4 - HIGH DENSITY R	BL	1		\$3,885.00	\$35.00
ADDITION	R3	BL	1		\$8,000.00	\$55.00
POOL	R1	BL	2		\$58,000.00	\$320.00
POOL	R3	BL	1		\$26,000.00	\$145.00
VINYL SIDING	R3	BL	1		\$13,576.20	\$85.00
SUNROOM	R4 - HIGH DENSITY R	BL	1		\$20,000.00	\$115.00
STORAGE BUILDING	R3	BL	1		\$3,000.00	\$30.00
MISCELLANEOUS	R1	BL	2		\$48,700.00	\$275.00
MISCELLANEOUS	R3	BL	1		\$2,000.00	\$25.00
DEMOLITION	R3	BL	1			\$50.00
Non-Residential						
PLAN REVIEW	R	BL	1			\$100.00
NEW	B2	BL	1		\$1,955,000.00	\$11,730.00
MISCELLANEOUS	R	BL	1		\$10,000.00	\$60.00
DEMOLITION	B2	BL	1			\$50.00
INTERIOR BUILD OUT	B2	BL	4		\$164,150.00	\$990.00
Total - BUILDING PERMIT			52		\$4,605,542.15	\$26,435.00
Grand Total			52	0.00	\$4,605,542.15	\$26,435.00

City of Daphne - Environmental Advisory Committee (EAC)
Daphne City Hall – Executive Boardroom

Meeting Minutes
Monday, July 23, 2018 @ 4:30 P.M.
Daphne City Hall-Jubilee Room

- I. The meeting was called to order by Co-Chair Don Ouellette at 4:32 PM
- II. The 6/25/18 meeting minutes were reviewed and approved.
- III. Updates on Old Business:
 - a. NFWF Updates-Melanie Loop Restoration is complete. Golf Course Tributary will start in October.
 - b. Forever Wild Update- the City's application has moved forward to the first appraisal stage. ADCNR-Forever Wild program submitted the grant application to National Wetland Conservation Grant Program for the purchase of the land.
 - c. D'Olive Creek 303d Pathogen Listing: No Update
 - d. ADECA Village Point Board Walk Grant: The state approved the application for the boardwalk. The application will be elevated to the next stage of approval.
 - e. NRCS EWP Mont Clair Loop: NRCS agreed to combine the funding for the two projects that were approved from the Hurricane Nate Disaster to use on the Mont Clair Loop drainage repair. Volkert is the engineer for the site.
 - f. ADEM 319 Trione Pavers: Asphalt Services, Inc will be the contractor. The preconstruction meeting was held and the contractor is awaiting the City's decision on paver color to start the project.
 - g. ADEM 319 Well Road: City crews have excavated the western wetland but had to stop on the eastern side due to a water line location issue. The water line is in the middle of the project. The project has to be redesigned.
 - h. ADEM Education Outreach Signage and Video: No update
 - i. D'Olive Bay Boat Ramp & Dredge Application: The ADEM has required a Submerged Aquatic Vegetation (SAV) survey update. Vittor and Associates have been hired to perform the survey.
 - j. Daphne High School EPA Grant-No update
- IV. The New Business:
 - a. The Mobile Bay National Estuary Program's annual funding request application was presented to the EAC for review and comment. The MBNEP restoration projects and their value to the City were discussed. **Justice Manning made a motion to send a favorable recommendation in support of the 2018-2019 MBNEP funding request from the EAC to the Public Works Committee. Cathy Barnette seconded the motion. The motion passed unanimously.**
 - b. Currently the EAC has 13 citizen volunteers. The EAC can have up to 15 members. The EAC agreed to have EPM contact the inactive members to determine if they want to continue to serve. The list will be updated to reflect volunteer's decisions. Once completed, the EAC will review the active members and if desired seek more volunteers. Wade Burcham a local engineer has offered to serve on the EAC.
 - c. A discussion was held in regards to future topics for discussion.
 - i. The Lake Forest Lake restoration was discussed in detail. Mr. Laws (EAC member) is working on a lake restoration master plan to take to the LF Property Owners Association. If they approve the plan, it will be brought to the EAC for review and for discussion for future grant opportunities.
 - ii. EAC members were asked about future EAC meeting topics.
 - iii. The use of regional detention for stormwater management was brought to the EAC attention. Jeremy agreed to discuss the topic with Troy and let the EAC know if it would be worth their time to research and discuss the topic.
- V. Meeting Adjourned at 5:30pm
- VI.

Attendees: Del Armstrong, Cathy Barnette, Ashley Campbell, John Lake, Justice Manning, Fred Nation, Larry Norris, Don Ouellette, Jeremy Sasser, Troy Strunk, Bo Tucker

Council Attendees:

Guest: Paul Lammers, Pauline Ouellette

Next Meeting-Monday, August 27, 2018 @ 4:30 P.M.



To: Office of the City Clerk
From: Adrienne D. Jones, 
Community Development Director
Subject: Planning Commission Minutes and Report
Date: July 27, 2018

MEMORANDUM

Attached please find a copy of the approved minutes for the City of Daphne Planning Commission regular meeting of June 28, 2018, and the report of the regular meeting of July 26, 2018 for placement on the Monday, August 6, 2018 City Council agenda for review.

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

ADJ/jv

From the Office of

Adrienne D. Jones,
Community Development Director
P. O. Box 400
Daphne, Alabama 36526
251-621-3184 ph
251-621-3185 fx

FILE
07/30/18
11:30am

The City of Daphne
Planning Commission Minutes
Regular Meeting of June 28, 2018
Council Chamber, City Hall - 5:00 P.M.

Call to Order:

Chairman called the regular meeting of the City of Daphne Planning Commission to order at 5:07 p.m. The number of members present constitutes a quorum.

Call of Roll:

Members Present:

Angie Phillips
Andrew Prescott
Charles Smith, Secretary
Ed Kirby
Marybeth Bergin, Chairman
Phillip Hodgson
Ron Scott
Hudson Sandefur
Chief White

Staff Present:

Adrienne Jones, Director of Community Development
Jan Vallecillo, Planning Coordinator
Missty Gray, Attorney
Troy Strunk, Executive Director, City Development

The first order of business is the approval of the minutes.

Chairman asked for questions, comments or corrections to the minutes *of the regular meeting of May 24, 2018. There being none, minutes are approved as submitted.*

The next order of business is site plan review for Valentine Automotive.

An introductory presentation was given by Robbie Strom, representative of Hutchinson, Moore & Rauch, requesting site plan review of an automotive repair facility with associated drainage, parking, utilities, and landscaping located southeast of U.S. Highway 98 and Wilson Avenue, on Lot 3, Wilson Avenue Business Park and stated that staff deficiencies have been addressed.

Chairman stated Environmental Programs Manager provided an update. Public Works Director has not provided comments; Commission may consider that a condition of approval.

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

Earlene Harris, 1111 Wilson Avenue, expressed concern about residential access to Wilson Avenue.

The City of Daphne
Planning Commission Minutes
Regular Meeting of June 28, 2018
Council Chamber, City Hall - 5:00 P.M.

Chairman closed public participation.

Chairman asked for Commission questions or comments and for a motion.

A **Motion** was made by Mr. Kirby and **Seconded** by Mr. Sandefur **to approve Valentine Automotive site plan. There was no discussion on the motion. The Motion carried. Mr. Scott abstained.**

The next order of business is site plan review for St. Paul's Thrift Shop Annex.

An introductory presentation was given by Ray Moore, representative of Hutchinson, Moore & Rauch, requesting site plan review of an annex to St. Paul's Thrift Shop with associated drainage, on-site and resurfaced parking, utilities, and landscaping located northeast of North Main Street and 5th Street, and commented this facility will serve as a sales facility for larger items.

Chairman asked for Commission questions or comments and stated Environmental Programs Manager asked about a dumpster. Mr. Moore stated no, a city container would be used.

Chief White asked if Fire Marshal comments require a sprinkler system. Mr. Strom responded the size of the room to meet the requirements and will construct a fire wall in the larger room.

Ms. Jones commented about permission to use shared parking and asked will it remain public parking. Mr. Moore confirmed.

Chairman asked for Commission questions or comments and for a motion.

A **Motion** was made by Mr. Kirby and **Seconded** by Mr. Scott **to approve St. Paul's Thrift Shop Annex site plan. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is preliminary/final plat review for ARC Light 52.

An introductory presentation was given by Robert Cummings, representative of Hutchinson, Moore & Rauch, requesting preliminary/final plat review of a two-lot subdivision consisting of approximately one point one-seven acres located west of U.S. Highway 90 and Renaissance Boulevard and stated shared access and parking are addressed in the covenants; storm water is provided by common detention pond.

Chairman asked for Commission questions or comments.

Mr. Scott commented about the master plan and asked about the capacity of the pond upon re-subdividing lots. Mr. Cummings stated the Public Works Director said the capacity of the common detention pond was sufficient to handle this development.

The City of Daphne
Planning Commission Minutes
Regular Meeting of June 28, 2018
Council Chamber, City Hall - 5:00 P.M.

Chairman asked if Commission will review the site plan for this building. Ms. Jones responded the details were provided at the time of site plan approval of Malbis Station II, and the improvements are in place. If the future building is less than a thirty percent improvement, it will be presented to staff for administrative site plan review.

Chairman opened the floor to public participation. No one came forth. She closed public participation.

Chairman asked for Commission questions or comments and for a motion.

A Motion was made by Mr. Hodgson and Seconded by Mr. Smith to approve Arc Light 52 Subdivision, preliminary/final plat. There was no discussion on the motion. The Motion carried unanimously.

The next order of business is a zoning amendment for Jacob's Well, L.L.C.

Chairman stated Commission has received updated PUD standards, a petition from Daphne Court residents, and correspondence from a citizen in opposition to the development.

An introductory presentation was given by Craig Dyas, representative of Dyas, L.L.C., requesting rezoning of six-point two-two acres located northwest of U.S. Highway and Halls Lane presently zoned R-7(T), Townhome District, B-2, General Business, and R-3, High Density Single Family Residential, to a PUD, Planned Unit Development for a mixed use development. He noted the benefits of the rezoning to a PUD are: allow for a mixed use, single family attached & detached and live/work units, creation of a walkable community by allowing pedestrian traffic to traverse to Main Street, elimination of vehicle access from the west to east with the construction of a hard scaped wall, management of a green manicured secondary fire department access to U.S. Highway 98, construction of a hammerhead at the terminus of Daphne Court East as a vehicle turnaround, and the installation of a sidewalk along Main Street to Christ the King Early Childhood Development Center.

Chairman asked for Commission questions or comments.

Chief White stated the secondary fire department access has to be an all-weather surface, and the increase of residential development by more than fifty percent would require the improvement of Daphne Court right-of-way to twenty feet.

Mr. Kirby commented on the incomplete submittal and asked if the PUD documents meet the requirements. Ms. Jones responded the minimum standards.

Mr. Kirby commented that PUD documents require a detailed plan and any revisions are to be approved by Planning Commission.

The City of Daphne
Planning Commission Minutes
Regular Meeting of June 28, 2018
Council Chamber, City Hall - 5:00 P.M.

Chairman asked Ms. Jones to present the changes to proposal.

Ms. Jones presented the following: the addition of a sidewalk along Main Street, permanent landscaped wall and two ten-foot openings for pedestrian access, the installation of a hammerhead at the extension of Daphne Court (Daphne Court East), an additional twelve parking spaces along the fifty-foot flag lot, fire department access to U.S. Highway 98, an increase in the setbacks from thirty to forty feet in some areas, and noted certain sections of the PUD documents are not consistent with or omitted from the design on the map. That covers most, if not all of the changes that are different from last week.

Ms. Jones asked which is your preference for the Rye property, what is described in the PUD documents or shown on the map. Mr. Dyas stated the map is inconsistent.

Mr. Kirby asked if those changes are different from our PUD standards. Ms. Jones confirmed the things that I noted are different from last week.

Mr. Hodgson asked if this meets the PUD standards. Ms. Jones responded it minimally meets the minimum standards; it does not exceed the standards or provide a superior design as mentioned in the PUD provisions of our ordinance.

Mr. Sandefur asked with the improvement of the fifty-foot easement to the north, why is there connectivity to Daphne Court. Mr. Dyas commented the fifty-foot easement is a secondary access for the fire department access for the single family attached townhomes.

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

Ed Baldwin, 903 Halls Lane, spoke in opposition and expressed his concern about increased traffic, crime element, and safety issues.

Sandy Robinson, 1500 Main Street, spoke in opposition and expressed her concern about the proposed improvement of Daphne Court and Falkenberry Lane, secondary fire department access, and late submission of revisions; asked for withdrawal of application for PUD and submission of a subdivision for the R-3 parcel.

John Mangan, 802 Daphne Court, spoke in opposition and expressed his concerns about late submission of revisions, insufficient information base your decision, the revision to the PUD documents, traffic, access to Main Street through Daphne Court, and preserving the character of downtown Daphne.

Robert Dyer, 905 Halls Lane, spoke in opposition and expressed his concerns about landscape wall and access to Falkenberry Lane.

The City of Daphne
Planning Commission Minutes
Regular Meeting of June 28, 2018
Council Chamber, City Hall - 5:00 P.M.

Bill Robinson, 1500 Main Street, spoke in opposition and expressed his concern about public safety, access to Main Street, Falkenberry and Halls Lane, water runoff and preserving the character of downtown Daphne.

Chairman closed public participation.

Chairman asked for Commission questions or comments.

Chief White stated he is not opposed to growth, but the access must adhere to the twenty-foot width requirement of the code.

Mr. Scott commented with something just given to us and of that much of a concern to the community that he could not vote to recommend this document to City Council tonight.

Commissioners discussed the required document for a Planned Unit Development, public benefit, thirty-day requirement, and vastly different version of the PUD documents presented by the developer.

Chairman asked for Commission questions or comments and for a motion.

A Motion was made by Mr. Kirby and Seconded by Mr. Sandefur to table Jacobs Well, L.L.C. rezoning request to the July 26, 2018 regular meeting; applicant to provide revisions to the PUD documents no later than July 9, 2018. There was no discussion on the motion. The Motion carried unanimously.

The next order of business is Planning Commission discussion.

Ms. Jones distributed the proposed language for substandard lots of record presented by the City Attorney for review and discussion at the July 26, 2018 meeting.

The next order of business is public participation.

Chairman asked for public participation.

None presented.

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

Ms. Gray stated no report.

The next order of business is commissioner's comments.

Mr. Scott commented the proposed language for substandard lots of record is a result of the denial of a variance of a subdivision re-plat by the Board of Zoning Adjustment and subsequent litigation.

The next order of business is director's comments.

**The City of Daphne
Planning Commission Minutes
Regular Meeting of June 28, 2018
Council Chamber, City Hall - 5:00 P.M.**

Ms. Jones presented the following:

1. University of North Alabama Certified Planning/Zoning Official Classes, Thursday, July 19 & 20, 2018, 8:30 a.m. - 4:30 p.m. at the Gulf Shores Fire Department Training Room, 1921 West Street, 2nd Floor, Gulf Shores;
2. Habitat for Humanity, Woman Build, exceeded goal of \$5,000;
3. The upcoming meeting dates are Site Preview, July 18 & Regular Meeting, July 26, 2018.

Ms. Jones thanked the Commission for their commitment and for making Daphne a desirable place to work, worship and play.

There being no further business, the meeting was adjourned at 6:35 p.m.

Respectfully submitted by:


Jan Vallecillo, Planning Coordinator

Approved: July 26, 2018


Marybeth Bergin, Chairman

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF JULY 26, 2018
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

REPORT

1. **CALL TO ORDER:** 5:10 p.m.
2. **CALL OF ROLL:** Marybeth Bergin, Ed Kirby, Charles Smith, Chief White, Angie Phillips, Andrew Prescott, and Ron Scott
3. **APPROVAL OF MINUTES:**

Review of minutes for the regular meeting of June 28, 2018. (**Approved as submitted**)
4. **OLD BUSINESS:**
 - A. **ZONING AMENDMENT:** (**Unfavorable recommendation**)
 1. **File Z18-05:** **Jacob's Well, L.L.C.**

Present Zoning: ***R-7(T), Townhome District, B-2, General Business, & R-3, High Density Single Family Residential***

Proposed Zoning: ***PUD, Planned Unit Development***

Location: Northeast corner of U. S. Highway 98 and Halls Lane
Area: 6.22 Acres $\pm$
Owner(s): Jacob's Well, L.L.C.
Agent: Dyas, L.L.C. - Craig Dyas
5. **NEW BUSINESS:**
 - A. **SITE PLAN REVIEW:**
 1. **File SP18-07:**

Site: **Harbor Freight Tools** (**Approved**)

Zoning: ***B-2, General Business***

Location: Southeast of Stanton Road and U. S. Highway 98
Area: 1.61 $\pm$ Acres
Owner: Caliber Daphne, L.L.C. - David York
Developer: Caliber Capital, L.L.C. - Eric Brown
Engineer: Civilogistix, L.L.C. - David White
 2. **File SP18-08:**

Site: **Judge's Square** (**Approved**)

Zoning: ***MU, Mixed Use***

Location: Southwest of Holy Cross Circle and Holy Cross Drive
Area: 1.77 Acres $\pm$
Owner: Two Hands Design and Development, L.L.C.
Developer: Tickle Creative Company - Jason Tickle
Engineer: Hutchinson, Moore & Rauch - Robert Cummings

**CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF JULY 26, 2018
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.**

REPORT

3. File SP18-09:

Site: Renaissance Academy (**Approved**)

Zoning: B-2, General Business

Location: Northwest of Renaissance Boulevard and U. S. Highway 90

Area: 1.78 Acres $\pm$

Owner: D.P. Properties, L.L.C. - Harry Dodich

Developer: Daphne RA, L.L.C. - Clyde Tant

Agent: McCrory & Williams – Don Whittington

Engineer: McCrory & Williams – Sean Estes

4. File SP18-10:

Site: Ford Lumber Building Addition (**Approved**)

Zoning: B-2, General Business

Location: North of U.S. Highway 90, Lot 1, Wooten Subdivision

Area: 5.03 Acres $\pm$

Owner: R & S Leasing, L.L.C. - Adam Williamson

Engineer: Dewberry - Andy Bobe

B. WINGED FOOT SUBDIVISION, PHASES 2 A & B:

1. FINAL PLAT REVIEW:

a. File SDF18-04: (Approved**)**

Subdivision: Winged Foot, Phase 2A & Street Acceptance

Zoning(s): PUD, Planned Unit Development

Location: Northeast of Edgewood Drive and County Road 64

Area: 6.85 Acres $\pm$, (25) lots

Owner(s): Winged Foot Development 2016, L.L.C. - Geoff Lane

Agent: Dewberry - Steve Pumphrey

Engineer: Dewberry - Jason Estes

b. Street Acceptance-Presentation by Dewberry (Favorable recommendation**)**

2. FINAL PLAT REVIEW:

a. File SDF18-05: (Approved**)**

Subdivision: Winged Foot, Phase 2B & Street Acceptance

Zoning(s): PUD, Planned Unit Development

Location: Northeast of Edgewood Drive and County Road 64

Area: 10.36 Acres $\pm$, (28) lots

Owner(s): Winged Foot Development 2016, L.L.C. - Geoff Lane

Agent: Dewberry - Steve Pumphrey

Engineer: Dewberry - Jason Estes

b. Street Acceptance- Presentation by Dewberry (Favorable recommendation**)**

C. PRELIMINARY/FINAL PLAT REVIEW:

1. File SDPF18-04:

Subdivision: Citrus 54 **(Approved)**

Zoning(s): *RSF-1, Single Family District, Baldwin County District 15, in the Extraterritorial Planning Jurisdiction of Daphne*

Location: The intersection of County Road 54 and River Road

Area: 6.5 Acres $\pm$, (3) lots

Owner(s): Henry Brookins

Agent: Barton & Shumer Engineering - David Shumer

Surveyor: Geo-Surveying - Matt or Jima Kountz

2. File SDPF18-05: (Tabled until meeting of August 23, 2018)

Subdivision: Resubdivision of Lot 3, Wachter Subdivision

Present Zoning: *MU, Mixed Use*

Location: Northwest corner of Trione and Guarisco Street

Area: 0.17 $\pm$ Acres, (2) lots

Owner(s): Howard Company - Chason Wachter

Agent: Barton & Shumer Engineering - David Shumer

Surveyor: Geo Surveying - Matt Kountz

D. PRELIMINARY PLAT REVIEW:

1. File SDP18-06:

Subdivision: Riverwood Estates **(Approved)**

Zoning(s): *Unzoned, Baldwin County District 7, in the Extraterritorial Planning Jurisdiction of Daphne*

Location: South side of U.S. Highway 90, 1.7 miles east of Plantation Hills Subdivision

Area: 114.88 Acres $\pm$, (16) lots

Owner(s): Borrow, L.L.C. – Clarence Burke

Agent: Dewberry - Steve Pumphrey

Engineer: Dewberry - Jason Estes

E. PETITIONS:

1. VACATION OF DRAINAGE EASEMENT:

File VE18-01: Kristy Lee Thomas (Favorable recommendation)

Location: 9443 Ottawa Springs Drive, Lot 96, Ottawa Springs Subdivision, Phase Two

Area: 0.07 Acres $\pm$

Owner: Kristy Lee Thomas

Agent: Roberts Brothers Realty – Ann Akridge

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF JULY 26, 2018
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

REPORT

F. ZONING AMENDMENT:

1. **File Z18-05:** **131 & 135 Lake Front Drive** **(Favorable recommendation)**

Present Zoning: ***R-3, High Density Single Family Residential***

Proposed Zoning: ***R-7(A), Apartment District***

 Location: Northeast of Lake Front Drive

 Area: 0.48 Acres ±

 Owner(s): Alex Yeoman & Raymond Harris

 Agent: LMS Investment Management - Patrick Harrell

G. PLANNING COMMISSION DISCUSSION:

1. City Council Request - No action taken-Update given by Troy Strunk, Executive Director of City Development

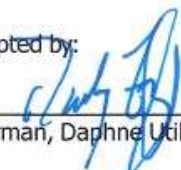
6. **PUBLIC PARTICIPATION:** None presented

7. **ATTORNEY'S REPORT:** No report

8. **COMMISSIONER'S COMMENTS:** None presented

9. **DIRECTOR'S COMMENTS:** None presented

10. **ADJOURNMENT:** 7:25 p.m.

Accepted by:

Chairman, Daphne Utilities



APPROVED MINUTES

Utilities Board Meeting

Council Chambers, Daphne City Hall ♦ June 27, 2018 ♦ 5:00 p.m.

I. Call to Order

The regular June 2018 Board meeting for the Utilities Board of the City of Daphne was held on June 27, 2018 at 5:00 p.m. in the Council Chambers at Daphne City Hall and called to order by Chairman Randy Fry, proceeded by the Roll Call:

II. Roll Call

Members Present:

Randy Fry, Chairman
Billy Mayhand, Vice Chairman
Selena Vaughn, Secretary/Treasurer
Mayor Dane Haygood, Board Member – arrived at 5:04pm
Robin LeJeune, Board Member

Members Absent:

Others Present:

Jerry Speegle – Board Attorney
Danny Lyndall – General Manager
Bobby Purvis – Operations Manager
Drew Klumpp – Administrative Services Manager
Teresa Logiotatos – Finance Manager
Samantha Coppels – Communications Manager
Lori May-Wilson – Executive Assistant
Melinda Immel – Volkert & Associates
Ray Miller – Volkert & Associates
Ray Moore – HMR
Joe Asarisi – Asarisi & Associates

Others Absent:

III. Pledge of Allegiance

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

IV. Approval of Minutes

A. Utilities Board Meeting Minutes May 30, 2018

MOTION by Selena Vaughn to accept the submitted May 30, 2018, Daphne Utility Board meeting minutes; Seconded by Billy Mayhand.

AYE: Fry, Mayhand, Vaughn, LeJeune

NAY:

ABSENT: Haygood

ABSTAIN:

MOTION CARRIED

V. OLD BUSINESS –

A. Spanish Fort Storm Water Repairs –

Danny Lyndall informed the Board on this critical situation advising that he and Melinda Immel met and updated the City of Spanish Fort on this project. He noted that they also talked to the property owner about obtaining an easement and his concerns of a lift station near his residence. Mr. Lyndall stated that Daphne Utilities' staff is confident this lift station can be constructed and at a lower cost than expected within a few weeks time. He confirmed that he advised the City of Spanish Fort that there was no need to further working with them on any mitigation for storm water repairs at this site but that there were other areas of concern that were again brought to their attention.

Councilman LeJeune asked if the property owner had addressed his storm water erosion problem with the City of Spanish Fort should it become an issue for our lift station later after been installed. Mr. Lyndall advised that our infrastructure will be far enough out of harm's way and that he understood that the property owner had been in contact with the City of Spanish Fort regarding the erosion but he was not aware of what had been determined. Mr. Lyndall responded to Mr. LeJeune's question regarding other locations of erosion explaining that the locations are not close enough to impact each other because they are two difference drainage basins. Mr. Lyndall reiterated that Daphne Utilities' will reroute our own line at our own expense.

Mayor Haygood arrived at 5:04 pm.

Mr. Lyndall also detailed erosion concerns at another location near Bugle Retreat and General Canby, noting there have been two major repairs in the last twelve years and that he is addressing this location's issues with the City of Spanish Fort for their corrective action. Melinda Immel advised that recent repairs have stablized the most critical areas but described the area behind Bugle Retreat as steep embankments that are unpredictable. Mr. Lyndall echoed Mrs. Immel's assertion regarding stabiliztion of these areas in the most danger of damage with the repairs that had been made but the erosion in this particular section persists and discussions with the City of Spanish Fort to repair this erosion problem continue. He noted that Daphne Utilities' crews consistently monitor this area after major rain events. Mr. Lyndall stated the two repairs to correct this area is for the City of Spanish Fort to fix the storm water erosion or Daphne Utilities to remove the line which would entail the costly installation of a low-pressure system and grinder pumps. Mr. Lyndall addressed Councilman LeJeune's concerns regarding budgeting for this particular issue and reviewing for modifications to the CIP, as well as an emergency repair plan that is in place.

VI. NEW BUSINESS –

A. None

VII. BOARD ATTORNEY'S REPORT

Mr. Speegle had nothing to add to his report, offered to answer any questions, and noted the finalization of the Agreement with the City of Fairhope regarding the shared gas lines.

Mr. Speegle answered Mayor Haygood's question that the Fairhope City Council did approve the settlement.

VIII. FINANCIAL REPORT

Teresa Logiotatos highlighted for the Board the net income, the cash flow report, the check history report and answered questions from Board members.

IX. GENERAL MANAGER'S REPORT

A. GM Report

Danny Lyndall pointed out the new CCR that will be mailed to all Daphne Utilities' customers. He also commented as a follow-up to the Board's previous work session that a capital improvement plan will be presented to the Board along with the budget in September or October and will include engineering reports, as a result of the consent order, that will have recommendations for O&M and potentially capital upgrades for which will be used in the CIP.

B. Operations Report

Bobby Purvis offered to answer questions about his report from the Board. He emphasize the cost-savings strategy for upcoming work in water, waste water and natural gas developed and planned by in-house staff. He updated Chairman Fry on his inquiry of the 6th Street Well location and advised that it is expected to be back on line soon.

Mayor Haygood commented on the City's project taking place on Well Road involving Daphne Utilities' water line and asked for the Utilities' to give an opinion.

C. Engineering & Consulting Reports

Melinda Immel with Volkert had nothing further to add to her report but updated the Board on the Monroe Street Lift Station. Mr. Purvis and Mr. Lyndall answered questions stemming from the work session regarding the head works filters screen.

Ray Moore with HMR gave an update on the Whispering Pines sewer connections.

Joe Asarisi with Asarisi & Associates had nothing further to add to his report and offered to answer any questions.

X. BOARD ACTION – None

XI. PUBLIC PARTICIPATION – the Chairman opened Public Participation at 5:28pm; with no participation the Chairman closed Public Participation at 5:29pm.

XII. BOARD COMMENTS –

Selena Vaughn complimented the CCR report and expressed appreciation for the work put into the work session from the previous week; Mayor Haygood echoed Mrs. Vaughn's points, expressing his appreciation for the very informative and well done work session and the CCR report; Chairman Fry confirmed the positive opinions.

XIII. ADJOURNMENT

MOTION by Robin LeJeune to adjourn; Seconded by Billy Mayhand.

The meeting adjourned at 5:31pm.

Preceding minutes submitted to the Daphne Utilities Board by:


Lori Wilson, Executive Assistant, Daphne Utilities

To: Office of the City Clerk

From: Adrienne D. Jones,
Community Development Director

Subject: Kristy Lee Thomas
Vacation of Easement
Lot 96, Ottawa Springs Subdivision,
Phase Two

Date: July 27, 2018

MEMORANDUM

At the, July 26, 2018, regular meeting of the City of Daphne Planning Commission, seven members were present, and the motion carried unanimously for a favorable recommendation to vacate the twenty-foot drainage easement along the east line of Lot 96, Ottawa Springs Subdivision, Phase Two on Ottawa Drive.

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

Upon receipt of said documentation, please prepare an resolution for placement on the City Council agenda to set a public hearing for Monday, August 6, 2018.

Thank you,
ADJ/jv

cc: file

attachment(s)

1. Planning Report
2. Petition for Vacation of Easement
3. Subdivision Plat
4. Adjacent Property Owners List
6. Easement Release Forms

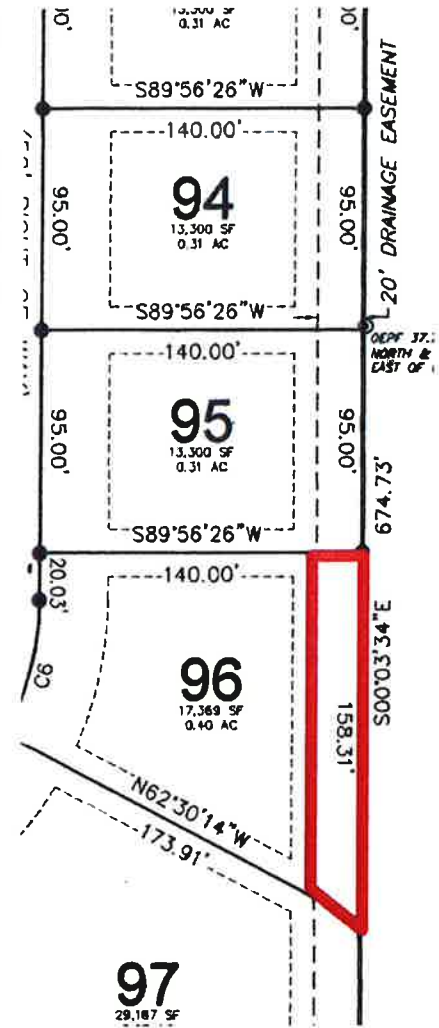
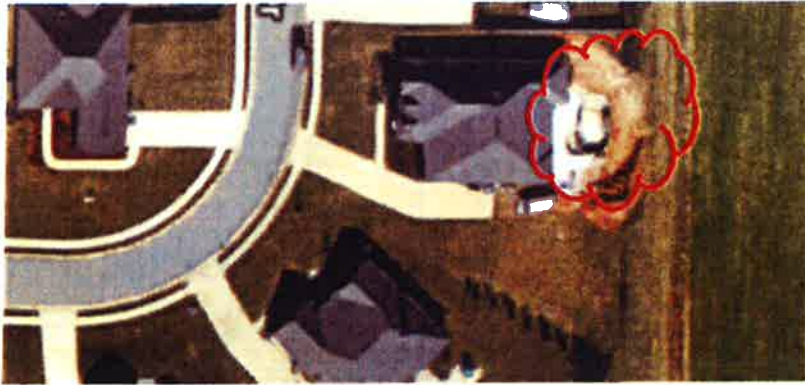
FILE
07/30/18
10:48 am

OTTAWA SPRINGS PHASE TWO
JULY 1981

21 24 27 30 33 36 39 42 45 48 51 54 57 60 63 66 69 72 75 78 81 84 87 90 93 96 99 102 105 108 111 114 117 120 123 126 129 132 135 138 141 144 147 150 153 156 159 162 165 168 171 174 177 180 183 186 189 192 195 198 201 204 207 210 213 216 219 222 225 228 231 234 237 240 243 246 249 252 255 258 261 264 267 270 273 276 279 282 285 288 291 294 297 300 303 306 309 312 315 318 321 324 327 330 333 336 339 342 345 348 351 354 357 360 363 366 369 372 375 378 381 384 387 390 393 396 399 402 405 408 411 414 417 420 423 426 429 432 435 438 441 444 447 450 453 456 459 462 465 468 471 474 477 480 483 486 489 492 495 498 501 504 507 510 513 516 519 522 525 528 531 534 537 540 543 546 549 552 555 558 561 564 567 570 573 576 579 582 585 588 591 594 597 600 603 606 609 612 615 618 621 624 627 630 633 636 639 642 645 648 651 654 657 660 663 666 669 672 675 678 681 684 687 690 693 696 699 702 705 708 711 714 717 720 723 726 729 732 735 738 741 744 747 750 753 756 759 762 765 768 771 774 777 780 783 786 789 792 795 798 801 804 807 810 813 816 819 822 825 828 831 834 837 840 843 846 849 852 855 858 861 864 867 870 873 876 879 882 885 888 891 894 897 900 903 906 909 912 915 918 921 924 927 930 933 936 939 942 945 948 951 954 957 960 963 966 969 972 975 978 981 984 987 990 993 996 999 1002 1005 1008 1011 1014 1017 1020 1023 1026 1029 1032 1035 1038 1041 1044 1047 1050 1053 1056 1059 1062 1065 1068 1071 1074 1077 1080 1083 1086 1089 1092 1095 1098 1101 1104 1107 1110 1113 1116 1119 1122 1125 1128 1131 1134 1137 1140 1143 1146 1149 1152 1155 1158 1161 1164 1167 1170 1173 1176 1179 1182 1185 1188 1191 1194 1197 1200 1203 1206 1209 1212 1215 1218 1221 1224 1227 1230 1233 1236 1239 1242 1245 1248 1251 1254 1257 1260 1263 1266 1269 1272 1275 1278 1281 1284 1287 1290 1293 1296 1299 1302 1305 1308 1311 1314 1317 1320 1323 1326 1329 1332 1335 1338 1341 1344 1347 1350 1353 1356 1359 1362 1365 1368 1371 1374 1377 1380 1383 1386 1389 1392 1395 1398 1401 1404 1407 1410 1413 1416 1419 1422 1425 1428 1431 1434 1437 1440 1443 1446 1449 1452 1455 1458 1461 1464 1467 1470 1473 1476 1479 1482 1485 1488 1491 1494 1497 1500 1503 1506 1509 1512 1515 1518 1521 1524 1527 1530 1533 1536 1539 1542 1545 1548 1551 1554 1557 1560 1563 1566 1569 1572 1575 1578 1581 1584 1587 1590 1593 1596 1599 1602 1605 1608 1611 1614 1617 1620 1623 1626 1629 1632 1635 1638 1641 1644 1647 1650 1653 1656 1659 1662 1665 1668 1671 1674 1677 1680 1683 1686 1689 1692 1695 1698 1701 1704 1707 1710 1713 1716 1719 1722 1725 1728 1731 1734 1737 1740 1743 1746 1749 1752 1755 1758 1761 1764 1767 1770 1773 1776 1779 1782 1785 1788 1791 1794 1797 1800 1803 1806 1809 1812 1815 1818 1821 1824 1827 1830 1833 1836 1839 1842 1845 1848 1851 1854 1857 1860 1863 1866 1869 1872 1875 1878 1881 1884 1887 1890 1893 1896 1899 1902 1905 1908 1911 1914 1917 1920 1923 1926 1929 1932 1935 1938 1941 1944 1947 1950 1953 1956 1959 1962 1965 1968 1971 1974 1977 1980 1983 1986 1989 1992 1995 1998 2001 2004 2007 2010 2013 2016 2019 2022 2025 2028 2031 2034 2037 2040 2043 2046 2049 2052 2055 2058 2061 2064 2067 2070 2073 2076 2079 2082 2085 2088 2091 2094 2097 2100 2103 2106 2109 2112 2115 2118 2121 2124 2127 2130 2133 2136 2139 2142 2145 2148 2151 2154 2157 2160 2163 2166 2169 2172 2175 2178 2181 2184 2187 2190 2193 2196 2199 2202 2205 2208 2211 2214 2217 2220 2223 2226 2229 2232 2235 2238 2241 2244 2247 2250 2253 2256 2259 2262 2265 2268 2271 2274 2277 2280 2283 2286 2289 2292 2295 2298 2301 2304 2307 2310 2313 2316 2319 2322 2325 2328 2331 2334 2337 2340 2343 2346 2349 2352 2355 2358 2361 2364 2367 2370 2373 2376 2379 2382 2385 2388 2391 2394 2397 2400 2403 2406 2409 2412 2415 2418 2421 2424 2427 2430 2433 2436 2439 2442 2445 2448 2451 2454 2457 2460 2463 2466 2469 2472 2475 2478 2481 2484 2487 2490 2493 2496 2499 2502 2505 2508 2511 2514 2

OTTAWA SPRINGS, PHASE 2 LOT 96
VACATION OF DRAINAGE EASEMENT REVIEW

In 2007, the Daphne Planning Commission approved the final subdivision plat for Ottawa Springs, Phase 2. Along the rear of all the residential lots there is a 20-ft wide drainage easement. Recently a pool was constructed on Lot 96 which encroaches into said easement (see bubble below). The applicant proposes to vacate the easement to cure the encroachment.



No objections have been submitted from the Home Owner's association, Public Works or the engineer of record. ***Therefore staff recommends approval of the vacation of the drainage easement along the east side (rear) of Lot 96 Ottawa Springs, Phase 2.***

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

**ARTICLE XXIV
VACATION OF EASEMENT AND/OR RIGHT-OF-WAY
24-1 PROCEDURE**

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

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

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

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

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

Vacation of Easement Application

OFFICE USE ONLY	Application Number: VOE-18-02	Date Submitted: June 25, 2018
Planning Commission Decision:		Date Presented: July 26, 2018
Date Submitted to City Clerk:		
Council Resolution Approval Date:		RESOLUTION NUMBER#

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

Property Owner(s): Kristy Lee Thomas

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

Mailing Address: 9443 Ottawa Dr., Daphne, AL 36526

Daytime Phone: 251-781-9372 Alternate Phone: 251-661-4460 Fax: A Sent to Kristy

Location: Ottawa Dr. Subdivision: Ottawa Springs Lot(s): 96 Unit or Phase: 2

Reason for request: Vacation of drainage easement.

To the best of your knowledge, are any utilities in the easement, including drainage ditches or pipes?

Check each item included with this submittal:

- ☒ Petition
- ☒ Recorded Plat or copy of the filed document that created the easement
- ☒ Legal description of area to be vacated
- ☒ Current Survey showing the easement(s) proposed to be vacated. Label this drawing, "Exhibit A"
- ☒ Easement Release Form from:
 - ☒ City of Daphne Division of Public Works
 - ☐ Utilities Board of the City of Daphne (Daphne Utilities)
 - ☐ Utilities Board of the City of Foley (Riviera Utilities)
 - ☐ AT&T
 - ☐ Cable Company (Mediacom)
 - ☐ Other _____
 - ☒ Property Owners Association or similar body (if applicable)
- ☒ List of adjacent property owners. Also attach mailing address labels-1 set
- ☒ Fee \$251.86

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

Signature/Date:

Kristy Lee Thomas

PETITION FOR VACATION OF EASEMENT

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

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

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

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

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

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

IN WITNESS WHEREOF, the Petitioner(s) have hereto set their hand and seals on this the 11 day of June, 2018

OWNER(S) SIGNATURE: _____

Kristy Lee Thomas

STATE OF ALABAMA)
COUNTY OF BALDWIN)

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

Given under my hand and seal on this the 11 day of June, 2018

[Signature]
Notary Public

My Commission Expires

08/07/2021

Kristy L. Thomas

Lot 96, Ottawa Springs, Phase Two

Vacation of Easement

Exhibit A

Legal Description:

The 20' wide drainage easement along the east side of Lot 96, Ottawa Springs Subdivision, Phase Two on Ottawa Drive, as shown on the final plat recorded on August 2, 2007 on Slide 2355F, Instrument #1065733, in the Judge of Probate of Baldwin County, Alabama. Said easements being located in Section 15, Township 5 South, Range 2.

Legal Description of the 20 foot wide drainage easement along the East side of Lot 96, Ottawa Springs, Phase Two as recorded in Slide No. 2355F in the Office of the Judge of Probate, Baldwin County, Alabama.

More particularly described as follows:

Beginning at the Northeast corner of Lot 96, Ottawa Springs, Phase Two as recorded in Slide No. 2355F in the Office of The Judge of Probate, Baldwin County, Alabama; thence run S 00 degrees 03'-34"E 158.31 feet to the Southeast corner of said Lot 96; thence run N 62 degrees 30'-14"W along the South line of said Lot 96 to a point; thence run N 00 degrees 03'-34"W 147.87 feet to a point on the North line of said Lot 96; thence run N 89 degrees 56'-26"W 20.00 feet to the Point OF Beginning.

R. B. Moseley
ALABA REGISTRATION NO 13405

MOSELEY SURVEYING COMPANY
DATE: 6-13-18 TEL: (251)633-0008
Scale: 1"=30'
1235 Boyce Dr, E. Mobile, AL. 36695
Legal Description Page 2 of 2

EASEMENT RELEASE FORM

WHEREAS, we the undersigned, Daphne Public Works, do hereby give our permission/consent to vacate the drainage and utility easement lines between Lot 96 and Lot _____ of Unit 2 of Hawa Springs Subdivision as setforth in the attached exhibit with the following comments:

Comments

No objections to the vacation(s) described above.

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

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

AGENCY NAME: Daphne Public Works
By: Jeremy Sasser
Its: Director

STATE OF ALABAMA)
COUNTY OF BALDWIN)

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

Given under my hand and seal on this the 25th day of June, 2018

[Signature]
Notary Public
My Commission Expires

My Commission Expires July 13, 2019

June 25, 2018

Mr. Jeremy Sasser, P.E.
Public Works Director
City of Daphne
Daphne, AL 36526

RE: Ottawa Springs, Lot 96

Dear Jeremy:

I have reviewed the plat for Ottawa Springs Phase Two, specifically the drainage easement along the rear of Lot 96. It does not appear to contain any drainage structures at the time of design. I have no objection to vacating the 20' drainage easement along the rear of Lot 96 in Ottawa Springs Phase Two.

Sincerely,



Jason N Estes, P. E.
Senior Associate
Senior Project Manager

EASEMENT RELEASE FORM

WHEREAS, we the undersigned, Ottawa Springs HOA, do hereby give our permission/consent to vacate the drainage and utility easement lines between Lot _____ and Lot _____ of Unit _____ of _____ Subdivision as setforth in the attached exhibit with the following comments:

Comments

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

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

AGENCY NAME: Ottawa Springs HOA
By: [Signature]
Its: President

STATE OF ALABAMA)
COUNTY OF BALDWIN)

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

Witness my hand and seal on this the 12 day of June, 2018



[Signature]
Notary Public
My Commission Expires 05-09-2022

Lot 96 Ottawa Springs Phase 2 Vacation of Easement

ADJACENT PROPERTY OWNER'S LIST

Meador, Zack and Kristen
9455 Ottawa Drive
Daphne, AL 36526

Sullivan, Benjamin
9425 Ottawa Drive
Daphne, AL 36526

Volovecky, Louise
26930 County Road 27
Daphne, AL 36526

It is the applicant's responsibility to assure that each adjoining property owner is listed and that the address is correct. Note: the notification fee is directly related to the number of adjoining property owners listed.

DANE HAYGOOD
MAYOR

ADRIENNE D. JONES
COMMUNITY DEVELOPMENT
DIRECTOR/ZONING ADMINISTRATOR



CITY COUNCIL
TOMMIE CONAWAY
DISTRICT 1
PAT RUDICELL
DISTRICT 2
JOEL COLEMAN
DISTRICT 3
DOUG GOODLIN
DISTRICT 4
RON SCOTT
DISTRICT 5
ROBIN LEJEUNE
DISTRICT 6
JOE DAVIS, III
DISTRICT 7

July 13, 2018

NOTICE OF PUBLIC HEARING

A petition for VACATION OF EASEMENT will be considered by the Daphne Planning Commission for the twenty-foot drainage easement along the east side of Lot 96, Ottawa Springs Subdivision, Phase Two as shown on Slide No. 2355-F in the Office of the Judge of Probate, Baldwin County, Alabama. Said easement(s) being located in Section 15, Township 5 South, Range 2 East. Said property is zoned R-3, High Density Single Family Residential.

Said petition will also be considered by the Daphne City Council pursuant to Alabama Code 11-52-79. The application is available for review at City Hall in the Department of Community Development, 1705 Main Street, during regular business hours. An informal site preview meeting will be held on Wednesday, July 18, 2018 at 10:00 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, July 26, 2018 at 5:00 p.m. in the Council Chambers of City Hall. You may submit your views in writing, in person, by fax or by representation.

Sincerely,
Adrienne D. Jones
Director of Community Development

Kristy Lee Thomas Vacation of Easement

P. O. Box 400 - Daphne, Alabama 36526
Phone: 251.621.3184 Fax: 251. 621.3185

To: Office of the City Clerk

From: Adrienne D. Jones, ^A₁₀
Director of Community Development

Subject: Alex Yeoman and Raymond Harris
Lots 131 and 135 Lake Front Drive
Zoning Amendment

Date: July 30, 2018

MEMORANDUM

PRESENT ZONING: R-3, High Density Single Family Residential

PROPOSED REZONING: R-7(A), Apartment District

LOCATION: West of the intersection of Lakefront & Bayview Drive

RECOMMENDATION: At the Thursday, July 26, 2018, regular meeting of the Daphne Planning Commission, seven members were present, and the motion carried for a favorable recommendation for the above mentioned 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 for placement on the City Council agenda to set a public hearing.

Thank you,
ADJ/jv

Attachment(s)

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

FILE
7/30/18
11:15am

Daphne

APPLICATION FOR REZONING OR PRE-ZONING

Office use only. Rev. 072816

Date Submitted June 26, 2018

Application Number:

Planning Commission Public

ZA- 18-06 or PZA

Hearing Date: July 26, 2018

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):
131 & 135 Lake Front Drive Daphne, AL 36526

PPIN#(s): 004694; 048304

Gross Site Area (acreage): 0.49

Requested Zoning or Pre-Zoning: R-7 (A) *

Current Zoning Designation(s) R-3

Amended Request:

Initials

Date:

Current Land Use: Residential

Anticipated Land Use: Community Clubhouse

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

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

Annexation Subdivision Site Plan Special Exception Variance Specify Other

APPLICANT & AGENT INFORMATION

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

Name of Current Owner: Alex Yeoman; Raymond Harris

Mailing Address: 135 Lake Front Drive Daphne, AL 36526

Phone/Fax: 251-423-9962; 251-753-3503
E-mail:

Name of Authorized Agent: Patrick Harwell

Mailing Address: 1744 Oxmoor Road Birmingham, AL 35209

Phone/Fax:
E-mail:

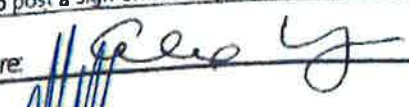
Name of Developer*: LMS Investment Management

Phone/Fax: 205-933-1227
E-mail: bcreasy@lms-realestate.com

Other:

Phone/Fax:
E-mail:

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

Applicant's Signature: 

Date 6/20/18

Agent's Signature: 

Date 6/25/18

**Alex Yeoman and Raymond Harris
131 & 135 Lake Front Drive
Zoning Amendment
Exhibit "A"**

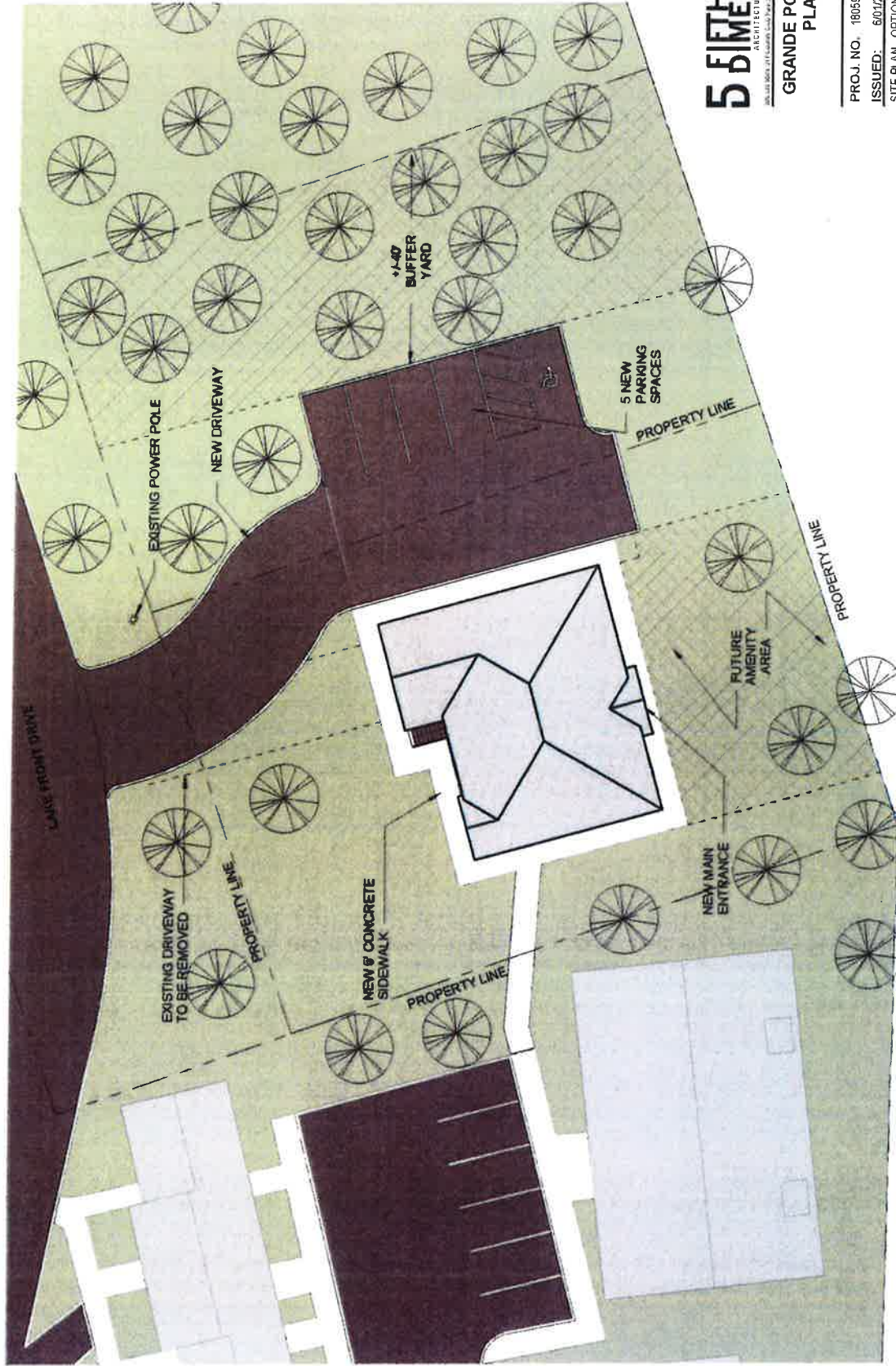
Legal Description of Property:

131 Lake Front Drive:

Lot 83, Unit 7, Lake Forest Subdivision, as per plat recorded in Plat Book 7, page 94 in the Office of the Judge of Probate, Baldwin County, Alabama, containing 0.21 acres, more or less, and lying in Section 37, Township 4 South, Range 2 East.

135 Lake Front Drive:

Lot 82, Unit 7, Lake Forest Subdivision, as per plat recorded in Plat Book 7, page 94 in the Office of the Judge of Probate, Baldwin County, Alabama, containing 0.27 acres, more or less and lying in Section 37, Township 4 South, Range 2 East.



5TH DIMENSION
ARCHITECTURE & INTERIORS, LLC
100 Lake Street, Suite 200, Grand Rapids, MI 49503
GRANDE POINT SITE
PLAN

PROJ. NO. 18059
ISSUED: 6/1/2018
SITE PLAN - OPTION 1

NOT FOR CONSTRUCTION

SP-01

1 ARCHITECTURAL SITE PLAN
1" = 20'-0"

1	Lake Forest Property Owners Association	P.O. Box 1087 Daphne, AL 36526	05-32-09-37-0-002-001.002	24751
2	LMS Investment Management	1744 Oxmoor Road Homewood, AL 35209	05-32-09-37-0-002-001.057	8591
3	Michael & Jennifer Predmore	129 Lake Front Drive Daphne, AL 36526	05-32-09-37-0-004-020.000	36696
4	Patrick William Warren & Ellen Rae Warren	9536 Rosas Ave NE Albuquerque, NM 87109	05-32-09-37-0-004-023.000	39415
5	Judith M Williams	130 Lake Front Drive Daphne, AL 36526	05-32-09-37-0-004-024.000	48231

DANE HAYGOOD
MAYOR

ADRIENNE D. JONES
COMMUNITY DEVELOPMENT
DIRECTOR/ZONING ADMINISTRATOR



CITY COUNCIL
TOMMIE CONAWAY
DISTRICT 1
PAT RUDICELL
DISTRICT 2
JOEL COLEMAN
DISTRICT 3
DOUG GOODLIN
DISTRICT 4
RON SCOTT
DISTRICT 5
ROBIN LEJEUNE
DISTRICT 6
JOE DAVIS, III
DISTRICT 7

July 13, 2018

NOTICE OF PUBLIC HEARING

A petition for REZONING will be considered by the Daphne Planning Commission for 131 and 135 Lake Front Drive containing 0.48 acres +/- located southeast of Lake Front Drive zoned R-3, High Density Single Family Residential, to be re-zoned to R-7(A), Apartment District.

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, July 18, 2018 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.

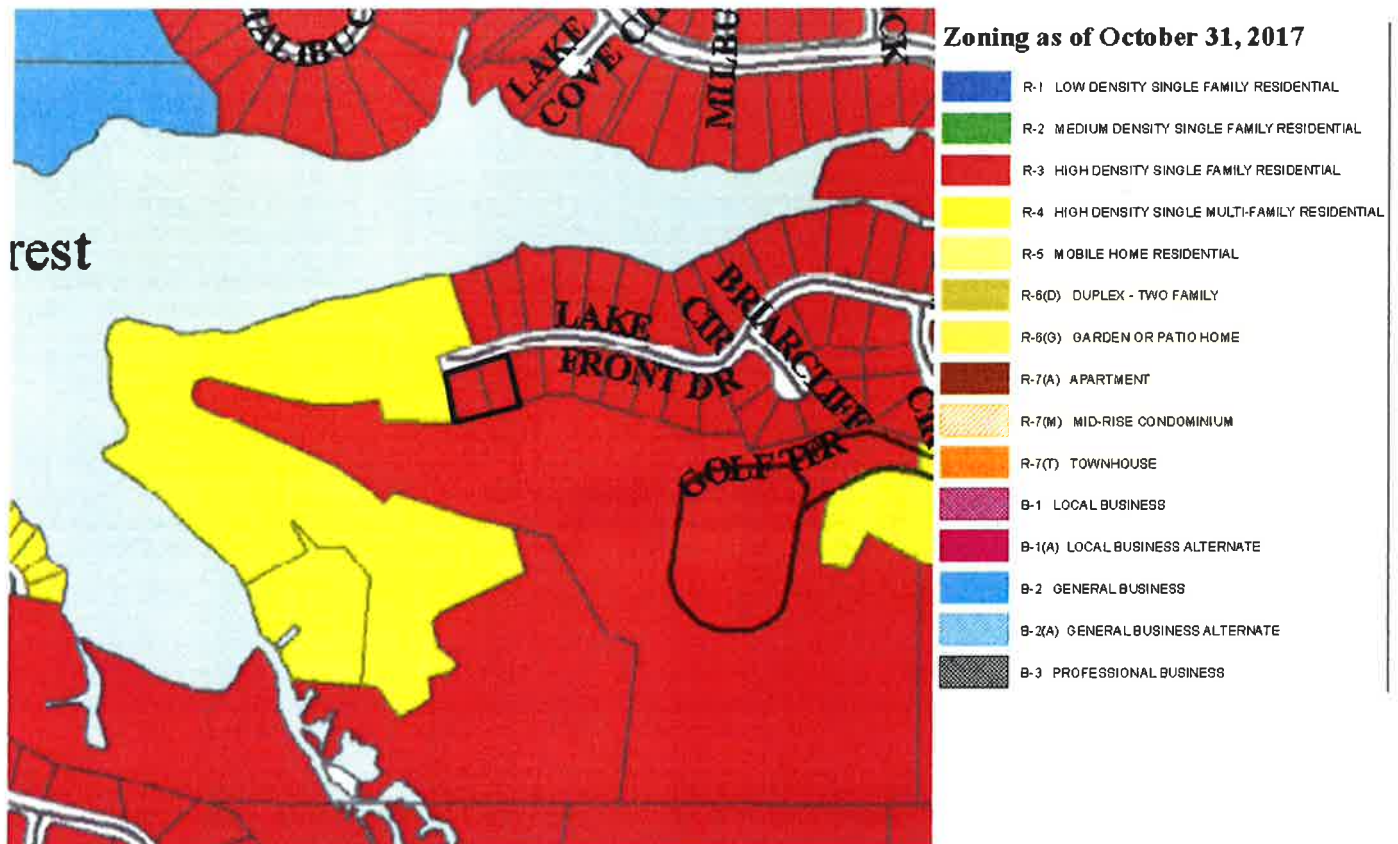
The public hearing will be held by the Daphne Planning Commission on Thursday, July 26, 2018 at 5:00 p.m. in the Council Chambers of City Hall. You may submit your views in writing, in person, by fax or by representation.

Sincerely,
Adrienne D. Jones
Director of Community Development

Alex Yeoman & Raymond Harris Zoning Amendment

P. O. Box 400 - Daphne, Alabama 36526
Phone: 251.621.3184 Fax: 251. 621.3185

REZONING REQUEST FOR LOTS 82 AND 83 LAKE FOREST UNIT 7 YEOMAN & HARRIS



REZONING REQUEST YEOMAN & HARRIS

Existing Conditions: 0.49 acres+/-

Existing Zoning: R-3, High Density Single Family Residential

Proposed Zoning: R-7(A), Apartment District

Surrounding Zonings/Uses:

North – R-4, High Density Single Family Residential District (apartment building) & R-3, High Density Single Family Residential District (townhouse)

South – R-3, High Density Single Family Residential District (Golf Course)

West – R-4, High Density Single Family Residential District (Grande Point Apartments)

East – R-3, High Density Single Family Residential District (wooded land)

Existing Utility Service Providers:

Water – Daphne Utilities

Sewer – Daphne Utilities

Gas – Daphne Utilities

Electric – Riviera Utilities

Affected City Service Providers:

Fire Protection-Station 2

Police Protection-Police Beat 2

Public Works

The Comprehensive Plan

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

Goal: Grow sensibly by anticipating land use needs. **Objective:** Promote and manage growth on undeveloped lands in a manner that will be compatible with, and complementary to, existing adjacent developed properties.

Existing Conditions

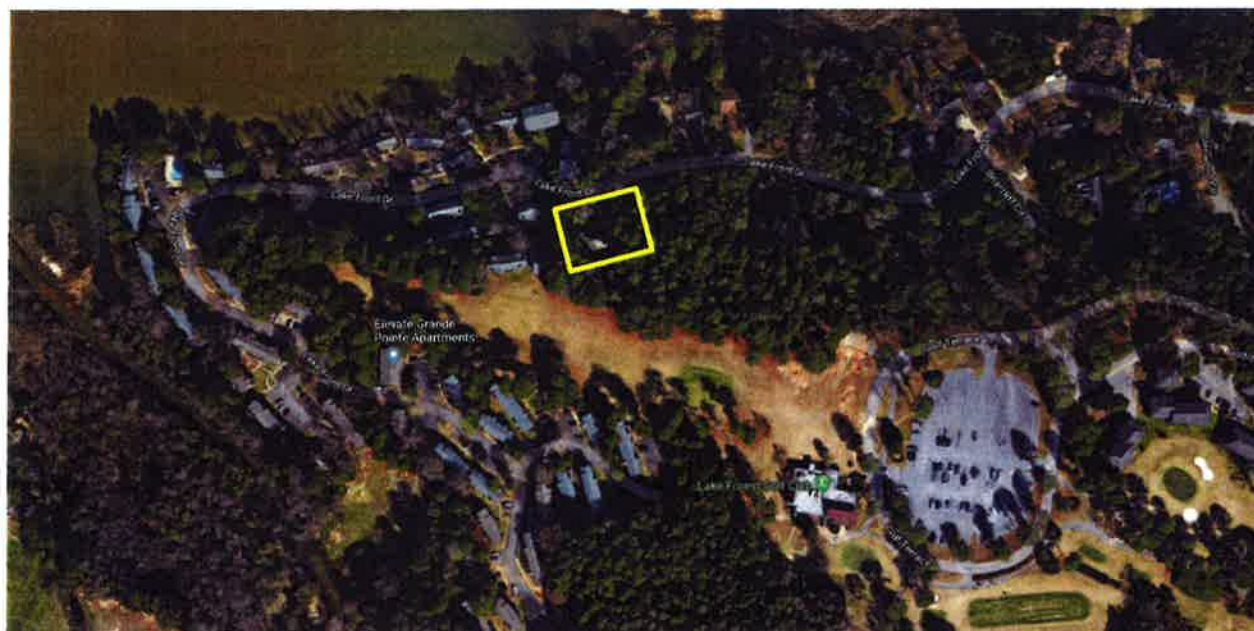
The subject property is located west of the intersection of Bayview Drive and Lake Front Drive in Lake Forest. The lots are immediately east of Grande Pointe Apartments.

The applicant proposes to rezone the site from R-3 to R-7(A) in preparation to sell the property to LMS Investment Management who intends to renovate the existing house on Lot 82 for Grande Pointe Apartment's clubhouse and to use Lot 83 for the clubhouse's parking and as a buffer between the residential zoned property to the east along Lake Front Drive.

Staff Recommendation

Staff recommends approval of request to rezone the two lots to apartment district. The developer has indicated that the land would be used for a clubhouse, parking and buffer area only. It's important to zone the land to make it abundantly clear that said land is part of the Grande Pointe apartment development and will not be a single family dwelling. The rezoning process provides the Lake Forest POA and residents along Lake Front Drive an opportunity to voice concerns about the intended use of the land and increases awareness of the future use. The land is not to be used to increase the acreage or add more apartments (no tear down to rebuild a new apartment building).

During initial conversations with staff, the developers indicated a willingness to deed restrict the use of the land.

[illegible]



Google Street View-looking to the west along Lake Front Drive

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

Jan Vallecillo

From: Adrienne Jones
Sent: Tuesday, July 24, 2018 9:06 AM
To: Jan Vallecillo
Subject: FW: Rezoning Request for Grand Point Apartments from R-3 to R-7a

From: VJ Phelps [<mailto:vjp818@gmail.com>]
Sent: Tuesday, July 24, 2018 8:53 AM
To: Adrienne Jones; Adrienne Jones
Cc: Kirby Ed; Victoria Phelps; Coulls Simon; Patrick Collins
Subject: Rezoning Request for Grand Point Apartments from R-3 to R-7a

Adrienne,

Good Morning,

At our last POA board meeting our board listened to a presentation from the developer. At the conclusion of our meeting we voted to "not oppose the current request as presented for the rezoning from R-3 to R7a for the intended purpose of adding an amenity for the Grand Point Apartments". We requested and the presenter agreed to note the request that it could not be developed as apartments and is only being changed to enable the amenity structure and use.

Additionally, the board members were pleased to see the renovation direction the developer has undertaken and the recent improvements have been noted for the units and site.

If, the proposal changes in any way we request you keep us informed, as our lack of opposition to the rezoning request was based on the presenters comments to our board on 7/18/2018.

Best Regards,

Victoria J Phelps



Adrienne Jones
Planning Director
ajones@daphneal.com
City of Daphne, Alabama - "The Jubilee City"
Phone: 251-620-1000 Web: www.daphneal.com

To: Office of the City Clerk

MEMORANDUM

From: Adrienne D. Jones, *AD*
Director of Community Development

Subject: Jacob's Well, L.L.C. Zoning Amendment

Date: July 30, 2018

PRESENT ZONING: R-7(T), Townhome District, B-2,
General Business, and R-3, High
Density Single Family Residential

PROPOSED REZONING: PUD, Planned Unit Development

LOCATION: West of the intersection of Lavender
Lane & U. S. Highway 98, and east of
the intersection of Daphne Court &
Falkenberry Lane

RECOMMENDATION: At the Thursday, July 26, 2018,
regular meeting of the Daphne
Planning Commission, seven members
were present. Five motions were made
and debated by the Planning
Commission. The final motion carried
for an unfavorable recommendation for
the above mentioned 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 for
placement on the City Council agenda to set a public hearing.

Thank you,
ADJ/jv

Attachment(s)

1. Zoning Amendment Application
 2. Legal Description (Exhibit A)
 3. Boundary Survey (Exhibit B)
 4. Adjacent property owners list
 5. Community Development Report
 6. Citizen Comments
- June 28, 2018 minutes (an excerpt re: Jacob's Well,
L.L.C. rezoning request)

Note: On June 28, 2018, the Planning Commission held a public hearing
on the PUD rezoning request. After much debate, the Planning Commission
unanimously voted to table the request until the 7/26/18 regular
meeting. Minutes from the 6/28/18 Planning Commission meeting are
included for review. The applicant submitted revised PUD documents for
the Planning Commission's review. Those documents are included herein.

FILE
07/31/18
11:30 am

Chairman asked if Commission will review the site plan for this building. Ms. Jones responded the details were provided at the time of site plan approval of Malbis Station II, and the improvements are in place. If the future building is less than a thirty percent improvement, it will be presented to staff for administrative site plan review.

Chairman opened the floor to public participation. No one came forth. She closed public participation.

Chairman asked for Commission questions or comments and for a motion.

A Motion was made by Mr. Hodgson and Seconded by Mr. Smith to approve Arc Light 52 Subdivision, preliminary/final plat. There was no discussion on the motion. The Motion carried unanimously.

The next order of business is a zoning amendment for Jacob's Well, L.L.C.

Chairman stated Commission has received updated PUD standards, a petition from Daphne Court residents, and correspondence from a citizen in opposition to the development.

An introductory presentation was given by Craig Dyas, representative of Dyas, L.L.C., requesting rezoning of six-point two-two acres located northwest of U.S. Highway and Halls Lane presently zoned R-7(T), Townhome District, B-2, General Business, and R-3, High Density Single Family Residential, to a PUD, Planned Unit Development for a mixed use development. He noted the benefits of the rezoning to a PUD are: allow for a mixed use, single family attached & detached and live/work units, creation of a walkable community by allowing pedestrian traffic to traverse to Main Street, elimination of vehicle access from the west to east with the construction of a hard scaped wall, management of a green manicured secondary fire department access to U.S. Highway 98, construction of a hammerhead at the terminus of Daphne Court East as a vehicle turnaround, and the installation of a sidewalk along Main Street to Christ the King Early Childhood Development Center.

Chairman asked for Commission questions or comments.

Chief White stated the secondary fire department access has to be an all-weather surface, and the increase of residential development by more than fifty percent would require the improvement of Daphne Court right-of-way to twenty feet.

Mr. Kirby commented on the incomplete submittal and asked if the PUD documents meet the requirements. Ms. Jones responded the minimum standards.

Mr. Kirby commented that PUD documents require a detailed plan and any revisions are to be approved by Planning Commission.

The City of Daphne
Planning Commission Minutes
Regular Meeting of June 28, 2018
Council Chamber, City Hall - 5:00 P.M.

Chairman asked Ms. Jones to present the changes to proposal.

Ms. Jones presented the following: the addition of a sidewalk along Main Street, permanent landscaped wall and two ten-foot openings for pedestrian access, the installation of a hammerhead at the extension of Daphne Court (Daphne Court East), an additional twelve parking spaces along the fifty-foot flag lot, fire department access to U.S. Highway 98, an increase in the setbacks from thirty to forty feet in some areas, and noted certain sections of the PUD documents are not consistent with or omitted from the design on the map. That covers most, if not all of the changes that are different from last week.

Ms. Jones asked which is your preference for the Rye property, what is described in the PUD documents or shown on the map. Mr. Dyas stated the map is inconsistent.

Mr. Kirby asked if those changes are different from our PUD standards. Ms. Jones confirmed the things that I noted are different from last week.

Mr. Hodgson asked if this meets the PUD standards. Ms. Jones responded it minimally meets the minimum standards; it does not exceed the standards or provide a superior design as mentioned in the PUD provisions of our ordinance.

Mr. Sandefur asked with the improvement of the fifty-foot easement to the north, why is there connectivity to Daphne Court. Mr. Dyas commented the fifty-foot easement is a secondary access for the fire department access for the single family attached townhomes.

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

Ed Baldwin, 903 Halls Lane, spoke in opposition and expressed his concern about increased traffic, crime element, and safety issues.

Sandy Robinson, 1500 Main Street, spoke in opposition and expressed her concern about the proposed improvement of Daphne Court and Falkenberry Lane, secondary fire department access, and late submission of revisions; asked for withdrawal of application for PUD and submission of a subdivision for the R-3 parcel.

John Mangan, 802 Daphne Court, spoke in opposition and expressed his concerns about late submission of revisions, insufficient information base your decision, the revision to the PUD documents, traffic, access to Main Street through Daphne Court, and preserving the character of downtown Daphne.

Robert Dyer, 905 Halls Lane, spoke in opposition and expressed his concerns about landscape wall and access to Falkenberry Lane.

**The City of Daphne
Planning Commission Minutes
Regular Meeting of June 28, 2018
Council Chamber, City Hall - 5:00 P.M.**

Bill Robinson, 1500 Main Street, spoke in opposition and expressed his concern about public safety, access to Main Street, Falkenberry and Halls Lane, water runoff and preserving the character of downtown Daphne.

Chairman closed public participation.

Chairman asked for Commission questions or comments.

Chief White stated he is not opposed to growth, but the access must adhere to the twenty-foot width requirement of the code.

Mr. Scott commented with something just given to us and of that much of a concern to the community that he could not vote to recommend this document to City Council tonight.

Commissioners discussed the required document for a Planned Unit Development, public benefit, thirty-day requirement, and vastly different version of the PUD documents presented by the developer.

Chairman asked for Commission questions or comments and for a motion.

A Motion was made by Mr. Kirby and Seconded by Mr. Sandefur to table Jacobs Well, L.L.C. rezoning request to the July 26, 2018 regular meeting; applicant to provide revisions to the PUD documents no later than July 9, 2018. There was no discussion on the motion. The Motion carried unanimously.

The next order of business is Planning Commission discussion.

Ms. Jones distributed the proposed language for substandard lots of record presented by the City Attorney for review and discussion at the July 26, 2018 meeting.

The next order of business is public participation.

Chairman asked for public participation.

None presented.

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

Ms. Gray stated no report.

The next order of business is commissioner's comments.

Mr. Scott commented the proposed language for substandard lots of record is a result of the denial of a variance of a subdivision re-plat by the Board of Zoning Adjustment and subsequent litigation.

The next order of business is director's comments.



APPLICATION FOR REZONING OR PRE-ZONING

Office use only: Rev. 072816

Date Submitted 5/29/2018

Application Number:

Planning Commission Public

ZA-10-05 or PZA-

Hearing Date: 4/28/2018 / 7/26/2018

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

SITE DATA

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

PPIN#(s):

Gross Site Area (acreage):

Requested Zoning or Pre-Zoning:

Current Zoning Designation(s):

Amended Request:

Current Land Use:

Anticipated Land Use:

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

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

Annexation Subdivision Site Plan Special Exception Variance Specify Other

APPLICANT & AGENT INFORMATION

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

Name of Current Owner:

Mailing Address:

Name of Authorized Agent:

Mailing Address:

Name of Developer*:

Other:

Phone/Fax:

E-mail:

Phone/Fax:

E-mail:

Phone/Fax:

E-mail:

Phone/Fax:

E-mail:

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

Applicant's Signature:

Date:

Agent's Signature:

Date:

DYAS, L.L.C.

COMMERCIAL REAL ESTATE & DEVELOPMENT

ADJACENT PROPERTY OWNERS

Jacob's Well, L.L.C. – PPIN# 44972, 360806 & 38108

OLDE TOWNE DAPHNE TOWNHOMES, A *proposed* PUD

- | | | | |
|------------------------|--------------------------------------|----------|-----------------------|
| 43-04-20-2-000-054.001 | Christ the King Parish | -064.000 | Jacob's Well, L.L.C. |
| -057.000 | 711 College Ave | -058.000 | 23210 U.S. Highway 98 |
| -053.000 | Daphne, AL 36526 | | Suite A3 |
| -052.000 | | | Fairhope, AL 36532 |
| | | | |
| -049.000 | Vintage Inspirations, L.L.C. | | |
| | c/o Vilai Marino | | |
| | P.O. Box 2509 | | |
| | Daphne, AL 36526 | | |
| | | | |
| -064.005 | Eastern Shore Associates, L.L.C. | | |
| | c/o Kleban Properties, L.L.C. | | |
| | 1189 Post Rd. | | |
| | Fairfield, CT 06824 | | |
| | | | |
| -064.002 | Daphne Properties Highway 98, L.L.C. | | |
| | 132 Rosa Ave | | |
| | Metairie, LA 70005 | | |
| | | | |
| -064.003 | Daphne Southern Gate, L.L.C. | | |
| | 23937 U.S. Highway 98, Suite 1 | | |
| | Fairhope, AL 36532 | | |
| | | | |
| -064.001 | Olds Enterprises, L.L.C. | | |
| | P.O. Box 970 | | |
| | Daphne, AL 36526 | | |
| | | | |
| -063.000 | Baldwin, Edward M. & Melodie | | |
| -063.001 | 903 Halls Ln | | |
| -063.003 | Daphne, AL 36526 | | |
| | | | |
| -063.002 | Dyer, Robert Allen & Haley | | |
| | 905 Halls Lane | | |
| | Daphne, AL 36526 | | |
| | | | |
| -059.000 | Earnest, Dorothy A. | | |
| | 804 Daphne Ct. | | |
| | Daphne, AL 36526 | | |

23210 U. S. HIGHWAY 98, SUITE A-3, FAIRHOPE, ALABAMA 36532

TELEPHONE (251) 990-6000 FACSIMILE (251) 990-8807

WEB: [HTTP://WWW.DYASLLC.COM](http://www.dyasllc.com)

DANE HAYGOOD
MAYOR

ADRIENNE D. JONES
COMMUNITY DEVELOPMENT
DIRECTOR/ZONING ADMINISTRATOR



CITY COUNCIL
TOMMIE CONAWAY
DISTRICT 1
PAT RUDICELL
DISTRICT 2
JOEL COLEMAN
DISTRICT 3
DOUG GOODLIN
DISTRICT 4
RON SCOTT
DISTRICT 5
ROBIN LEJEUNE
DISTRICT 6
JOE DAVIS, III
DISTRICT 7

June 15, 2018

NOTICE OF PUBLIC HEARING

A petition for REZONING will be considered by the Daphne Planning Commission for Jacob's Well, L.L.C. containing 6.22 acres +/- located at the northeast of U.S. Highway 98 and Halls Lane zoned R-7 (T), Townhome District, B-2, General Business, and R-3, High Density Single Family Residential, to be re-zoned 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, June 20, 2018 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, June 28, 2018 at 5:00 p.m. in the Council Chambers of City Hall. You may submit your views in writing, in person, by fax or by representation.

Sincerely,
Adrienne D. Jones
Director of Community Development

Jacob's Webb, L.L.C. Zoning Amendment

P. O. Box 400 - Daphne, Alabama 36526
Phone: 251.621.3184 Fax: 251. 621.3185

EXHIBIT 'A'

LEGAL DESCRIPTION(s) for *OLDE TOWNE DAPHNE TOWNEHOMES*,

A proposed *PLANNED UNIT DEVELOPMENT*

. . .a 'DYAS' Development

4.36 ac (mol) Jacob's Well, L.L.C. Parcel – PPIN # 44972 – Lot 2, Shore Oaks Subdivision, a Resubdivision of Lot 2B of the Resubdivision of Lot 2 of Webb FLP Subdivision, according to the plat thereof recorded in Slide 2540-C, of the records in the Office of the Judge of Probate, Baldwin County, Alabama, PLUS. . .

0.06 ac., (mol) Jacob's Well, L.L.C. Parcel – PPIN # 360806 – Commence at the record location of the NORTHWEST corner of Section 20, Township 5 South, Range 2 East, St. Stephens Meridian, and run thence South, a distance of 990.00 feet; thence run East, a distance of 660.00 feet to the Northwest Corner of Lot 2B of the Resubdivision of Lot 2 of the Webb FLP Subdivision, as recorded on Slide 2484-A, Baldwin County Probate Records; thence run South 00 Degrees 06 Minutes 19 Seconds West, along the West margin of said Lot 2B, a distance of 324.93 feet to the POINT OF BEGINNING; thence continue South 00 Degrees 06 Minutes 19 Seconds West, along the West margin of said Lot 2B, a distance of 175.61 feet; thence run South 89 Degrees 35 Minutes 37 Seconds East, along the South margin of Lot 2B, a distance of 13.82 feet; thence run North 00 Degrees 07 Minutes 44 Seconds East, a distance of 175.85 feet; thence run South 89 Degrees 23 Minutes 53 Seconds West, a distance of 13.90 feet to the POINT OF BEGINNING. Tract contains 0.06 acres, more or less, and lies in Section 20, Township 5 South, Range 2 East, Baldwin County, Alabama, PLUS. . .

1.8 ac. (mol) Jacob's Well, L.L.C. – PPIN # 38108 – Lot No. 3 of the Subdivision of the lands of S.W. Pickens as per plat of same recorded in Map Book 4, Page 99 of the records in the Probate Court of Baldwin County, Alabama, said lands lying in the Southwest Quarter of the Northwest Quarter of Section 20, Township 5 South, Range 2 East and containing 1.8 acres, more or less and more specifically being that piece of property conveyed by Pickens to Fulford and recorded in the Office of the Judge of Probate, Baldwin County, Alabama, in Deed Book 488, Page 222.



Olde Towne Daphne Townhomes, a 'proposed' City of Daphne PUD



October 11, 2017

- Misc
- County Boundary
- Parcels
- Lot Lines

1:2,257



KCS

Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan,

Copyright 2017

JACOB'S WELL
PUD DOCUMENTS

JACOB'S WELL PUD STANDARDS

1. *Jacob's Well* (*The Development*) consists of two components, *Olde Towne Daphne Townhomes*, a single family attached ("SFA") component on the 4.36 acre Lot 2, Shore Oaks Subdivision, Baldwin County Slide 2540-C together with an adjacent .06 acre sliver (collectively, "Lot 2") and, *Daphne Court East*, a single family detached ("SFD") component on the approximately 1.8 acre (+) Lot 3, S.W. Pickens Subdivision, Baldwin County Map Book 4, page 99 ("Lot 3") in the *Olde Towne Daphne* Overlay District. It is keenly situated between U.S. Highway 98 and Main Street, adjacent to the south and east of the new Christ the King Catholic School ball fields.
2. *The Development* is designed as a *transitional, walkable community* transitioning between the high intensity retail space along corridor 98 to the East and Main Street thru Daphne Court Subdivision to the West. In addition, in keeping with *new urbanism* planning concepts and with '*talked-about*' efforts to revitalize Olde Towne Daphne, *The Development* will have walkable access to Olde Towne Daphne. Said access will also give the residents of the development walkable access to the many public and semi-public areas in and around Olde Towne Daphne, including the pedestrian friendly sidewalks along Main Street, Christ the King School, Church, and sports facilities, City Hall, Lott Park and its multiple sports venues, May Day Park, Jubilee Courtyard, Centennial Park, W.O. Lott Park and the United States Post Office and, conversely, will give all the residents of Olde Town Daphne walkable access to the retail space along Highway 98 to the East, thereby enhancing the viability of said retail space.
3. In order to maximize walkability between *The Development*, Olde Towne Daphne, and the retail space along Highway 98 to the East, with the approval of Public Works, a sidewalk will be installed approximately 300' along the East side of Main Street from the south boundary of Daphne Court to the parking drive of the Early Childhood Center of Christ the King School.
4. To eliminate the concern of '*thru-traffic*' thru Daphne Court and potential traffic congestion on Main Street, a permanent hardscape wall, with up to two golf cart equivalent penetrations for pedestrian access, will be erected between the SFD and the SFA components of *The Development* thereby eliminating vehicular passing completely and creating space for neighbors to congregate.
5. Daphne Court East will terminate at the east end of Lot 3, into a modified hammerhead allowing for emergency vehicles to turn around and exit this SFD component of *The Development* the same way they came;
6. The storm water drainage system for *Jacob's Well* will be designed to meet the City's storm water requirements. This, as well, will address the storm water buildup at the east end of Daphne Ct.

Revision
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7. Lot 3, being a component of a Planned Unit Development, will allow the construction of SFD units without the constrictions of the minimum lot widths and configurations normally applicable to residential lots in R-3 districts which will allow residences to be located so as to aggregate open space into a larger continuous area than would be possible with traditional 'subdivided' R-3 zoning requirements, however, with the ability to modify lot widths administratively through Community Development, the SFD lots have been established at 42 feet wide throughout. Including Lot 2 into a planned unit development will increase the otherwise 5% landscape requirement to near 10%.
8. In addition, allowing more flexibility in locating buildings and other improvements in *Olde Towne Daphne Townhomes* will allow more existing mature live oak trees to be preserved than could be preserved with traditional R-7(T) requirements, thereby maintaining an ambiance that cannot be created with 3" caliber replacement trees.
9. The general architectural style of *The Development* will be in keeping with the general principles of *new urbanistic planning*, and the general exterior design will be substantially in keeping with Exhibit "A" hereto.
10. The *Daphne Court East* component of *The Development* is approved for 8 SFD residences for a density of approximately 4.57 single family residential units per acre compared to the existing 5.6 residential units per acre in *Daphne Court* immediately to the West. The *Olde Towne Daphne Townhouse* component is approved for 44 residential units & six commercial units comprised of up to 38 single family attached (SFA) townhomes and up to three live up/work down ("LU/WD") buildings, each of which will have up to two commercial units downstairs and up to two residential units per structure upstairs, resulting in a residential density of less than the 10 residential units per acre allowed by the City of Daphne Land Use and Development Ordinance. The LU/WD buildings will be along the East boundary of Lot 2 (where it joins the West boundary of Lot 1) with the front of each building facing East, thus creating a 'piazza' environment amongst the landscaping and oaks in the rear parking area of Lot 1 and the Eastern portion of Lot 2 surrounding the LU/WD units.
11. In keeping with new urbanism concepts, these LU/WD units will provide a transition/softening between the most intense retail development on Lot 1 and the *single family attached* (higher density) residential units on Lot 2.
12. Parking for the commercial component of the LU/WD units will be on and in accordance with a common *Access and Parking Easement* (the "Common Easement") across Lot 1 granted by Eastern Shore Associates, L.L.C. to Jacob's Well, L.L.C. recorded as Baldwin County Inst. No. 1627300. To replace the parking spaces lost by the construction of access to Jacob's Well across the Common easement and to meet the requirements of the Daphne Land Use and Development Ordinance for the LU/WD units, additional parking will be added along the 50' leg of Lot 2 that is adjacent to the North boundary of Lot 1 on a one to one basis for the lost parking spaces. Parking for the residential components of Jacob's Well will be two parking spaces exclusively for each residential unit which will



be provided through a combination of rear loaded garages, rear 'pad' exclusive to each residential unit and paved on-street parking along the main streets within the development.

13. Vehicular access to and from the *Olde Towne Daphne Townhomes* is by way of Highway 98 using the Common Easement.

a. A secondary emergency and fire access will be maintained to *Olde Towne Daphne Townhomes* via the 50 ft. strip along the north line of Lot 2. ;

b. Access to and from *Daphne Court East* is by way of Daphne Court from Main Street;

14. None of the approved buildings or units need be built, and the developer reserves the right to combine or expand units for "custom" construction. The SFA units can be constructed in groups of one to six units and, each building in the development, and the sidewalks adjacent thereto, can be constructed independent of other buildings and sidewalks in the development and a certificate of occupancy will be issued on a unit by unit basis as long as all life safety requirements for requested unit (as opposed to for the entire development) are satisfied. Any development amenities may be located in common areas, at developers' discretion.

15. The development setback along the North line of Lot 3, the South line of Lot 2, and that portion of the West line of Lot 2 lying North of the North line of Lot 3 will be 40'. In keeping with residential lots setbacks specified by Section 13-6 of the Daphne Land Use and Development Ordinance, setbacks along the South side of Lot 3 will be 30' and along its West side will be 20'. The development setback along the common boundary line between Lot 1 and Lot 2 other than that portion of the common boundary on the North side of Lot 1 will be 40' for residential units other than LU/WD units. There will be no setback requirement for the LU/WD units provided however that a 5' wide access/maintenance easement will be provided along the East side of the LU/WD units, which easement may be located either on Lot 1, Lot 2, or a combination thereof. In addition, no setback will be required along the common line between Lot 2 and Lot 3, along the common line between Lot 2 and the North line of Lot 1, between the common line between Lot 2 and Lot 1, Marino Family Subdivision as per the plat recorded as Slide 2474-E, or between the common line between Lot 2 and the Eastern 60' of the Christ the King Catholic School ball field (PPIN 41969). The setbacks for the remainder of the common line between Lot 2 and the Christ the King ball field will be 30 ft. Alleys will be allowed in all setbacks, and a road will be allowed in the setback along the North side of Lot 3 and for roads entering *Jacob's Way* from the exterior.

16. All streets and roads within *Olde Town Daphne Townhomes* will have a minimum 5' setback from buildings. Streets and roads within *Jacob's Well* will be private. All utilities will be installed underground.

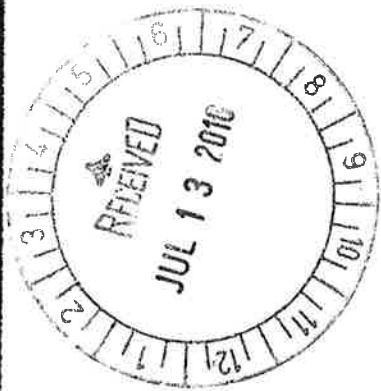


17. The overall residential density of Lot 2 will not exceed ten (10) units per acre, structure height within *The Development* shall not exceed 40 feet measured to midway between eave and ridge from finished first floor, and the minimum distance between buildings will be 12’.
18. In order to provide for the maximum usability of greenspace within Lot 3 and for the customizing of SFD houses and yet, at the same time, provide a structure for the locations of the SFD houses, the road on Lot 3 will be located on the North half of Lot 3 and SFD lots may be located flexibly on an East and West direction with the long axis of the lots substantially perpendicular to the South line of Lot 3, front facing north, providing lot widths of 42 feet, minimum width of a lot will not be less than 30’ (if ever adjusted by CD) and there will be a minimum of 12’ between the residences on Lot 3. To the extent reasonable, the SFD houses will be rear loaded via an alley within the 30’ setback along the South side of Lot 3, which connects at the west end to Falkenberry.
19. The cumulative maximum building/structure coverage in *The Development* shall not exceed 30 percent (30%).
20. A landscape plan shall be incorporated into the common area components of the overall development which shall have coverage of at least ten percent (10%) of the development. This landscape covenant will fulfil any greenbelt requirements of this development.
21. A legend of various other standards will be located on the face of the approved site plan, Restrictive Covenants shall be incorporated into the development and ultimately managed by a property or condominium owners association (‘POA’) which will govern the rights of the ultimate unit owners post completion, and structures within the development will require approval of an architectural review committee before being constructed. Additionally, the POA will manage/maintain the common area landscape and the storm water management ponds. The developer will maintain control of the POA until the last unit is complete and sold.
22. Community Benefits of PUD (reiterated in part)-
 - a. Connection of sidewalk along Main St. from Daphne Ct to Church crosswalk;
 - b. Multiple ‘congregating;/visiting’ sites developed within;
 - c. Potential resolution of Storm water build-up at east end of Daphne Ct.
 - d. Multiple aggregated open spaces throughout;
 - e. Potential preservation of additional ‘Century Oaks’ for a ‘Tree City’;
 - f. Creation of congregating, ‘living’ space within parking lot of existing retail;
 - g. Increase of up to 10 additional residential units to support economy of OTD;

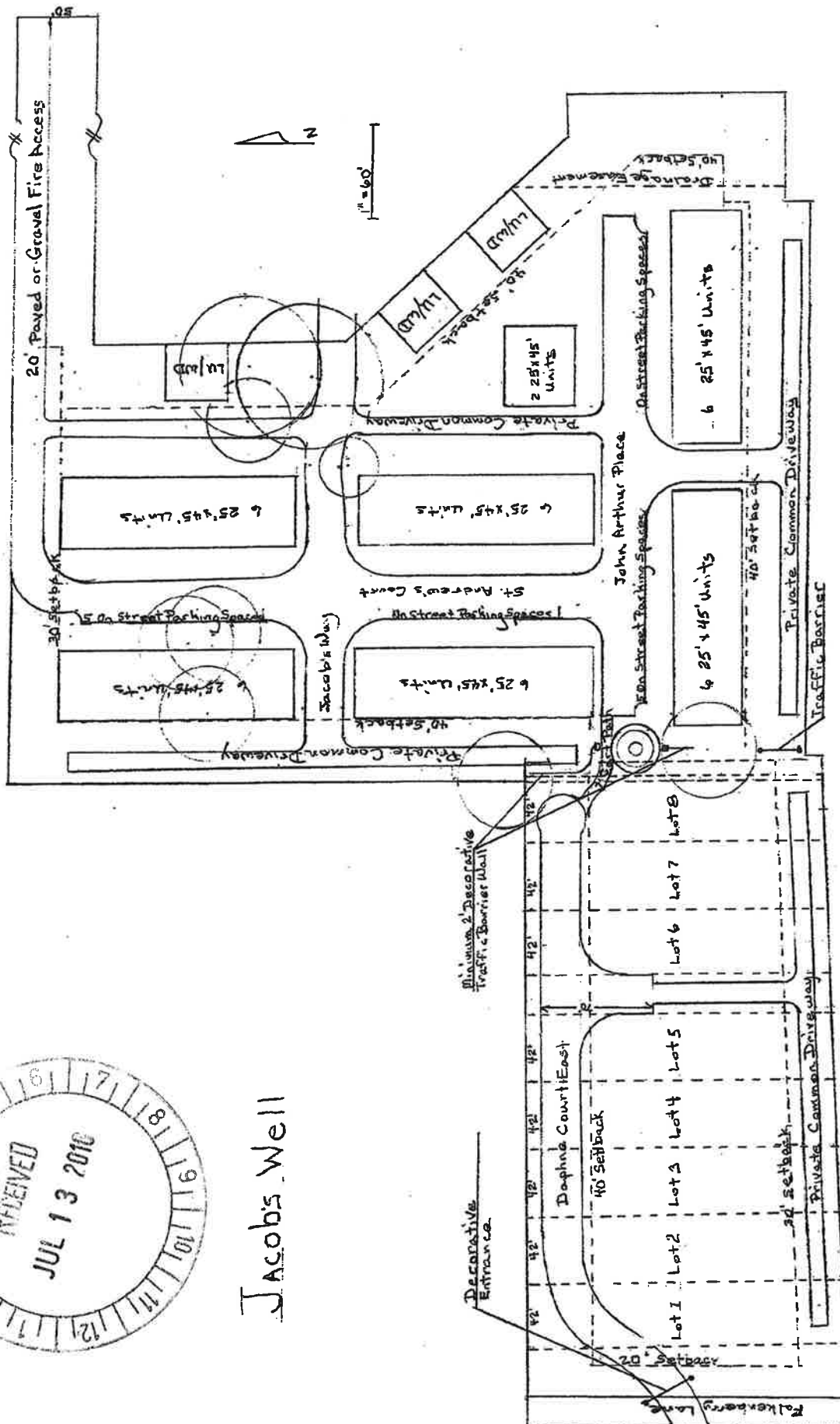


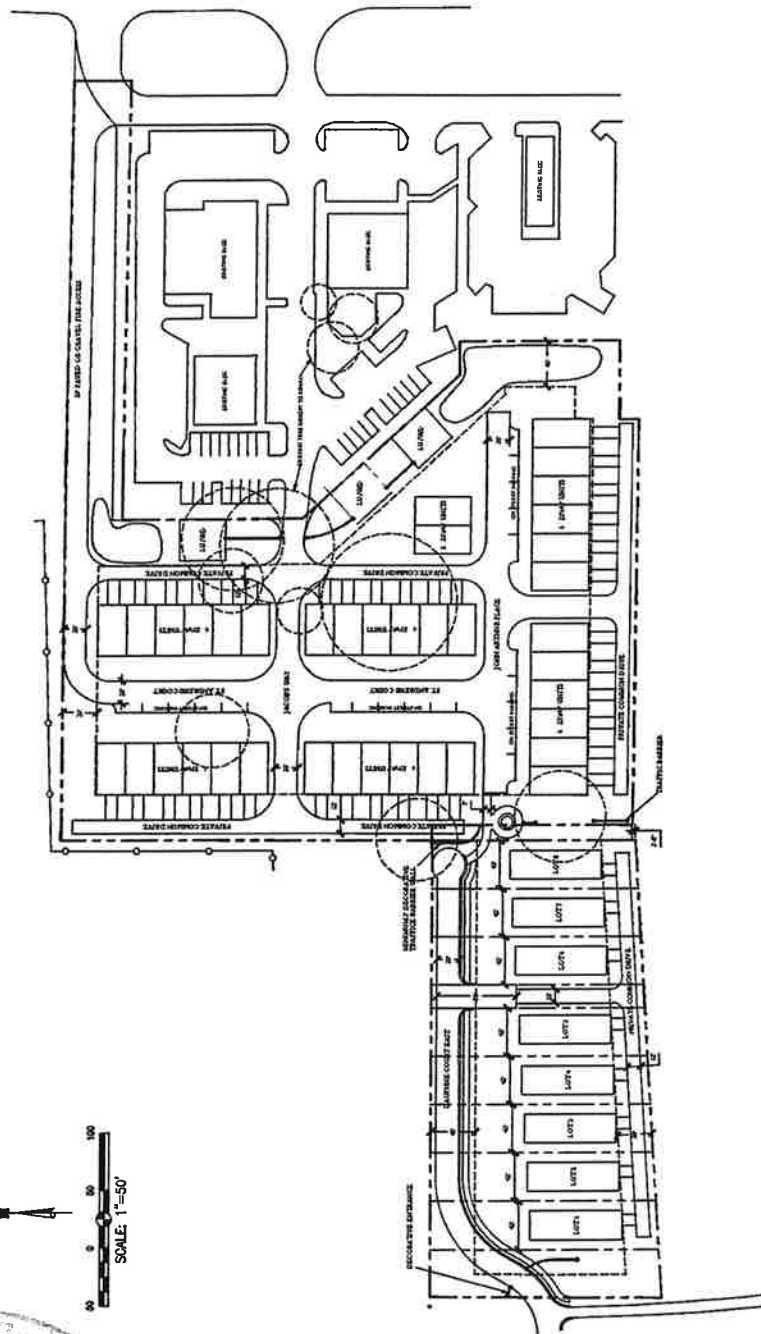
EXHIBIT 'A'





Jacob's Well





STORIE OAKS SUBDIVISION



SHORE OAKS SUBDIVISION

PLANNING COMMISSION
REZONING REQUEST FOR
JACOB'S WELL, LLC



COMMUNITY DEVELOPMENT

Rezoning Request Jacob's Well, LLC 6.2 acres

Owner: Jacob's Well, LLC

Existing Conditions: wooded/undeveloped

Existing Zoning for property East of Daphne Court Subdivision:

R-3, High Density Single Family Residential

Existing Zoning for Jacob's Well property:

R-7(T), Townhouse District

Existing Zoning for Remnant property:

B-2, General Business District

Proposed Zoning: Planned Unit Development District

Surrounding Zonings/Uses for Daphne Court East property (previously Rye Property):

North – B-1, Local Business/Christ the King Athletic Complex and Day Care

South – R-3, High Density Single-family Residential District (Baldwin Subdivision)

East – B-2, General Business District (undeveloped strip owned by Jacob's Well, LLC)

West – R-3, High Density Single-family Residential District (Daphne Court Subdivision)

Surrounding Zonings/Uses for Jacob's Well portion:

North – B-2, General Business District/Rama Imports

South – B-2, General Business District/commercial use

East – B-2, General Business District/Serda's, Taziki's, Popeye's, etc.

West – R-3, High Density Single-family Residential District/undeveloped (Previously Rye's)

West – B-1, Local Business/Christ the King Athletic Complex and Day Care

Existing Utility Service Providers:

Water, Sewer & Gas – Daphne Utilities

Electric – Riviera Utilities

Public Safety Service Providers:

Fire Protection-Station 1

Police Protection-Police Beat 1

Public Works

The Comprehensive Plan

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

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

Objective: Encourage development of sound and cohesive residential areas which meet the housing needs of current and potential residents.

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

At this time, the Future Land Use map does not reflect recent zoning and use changes that have taken place since the Plan's adoption, nor does it account for consequential changes that should have been made.

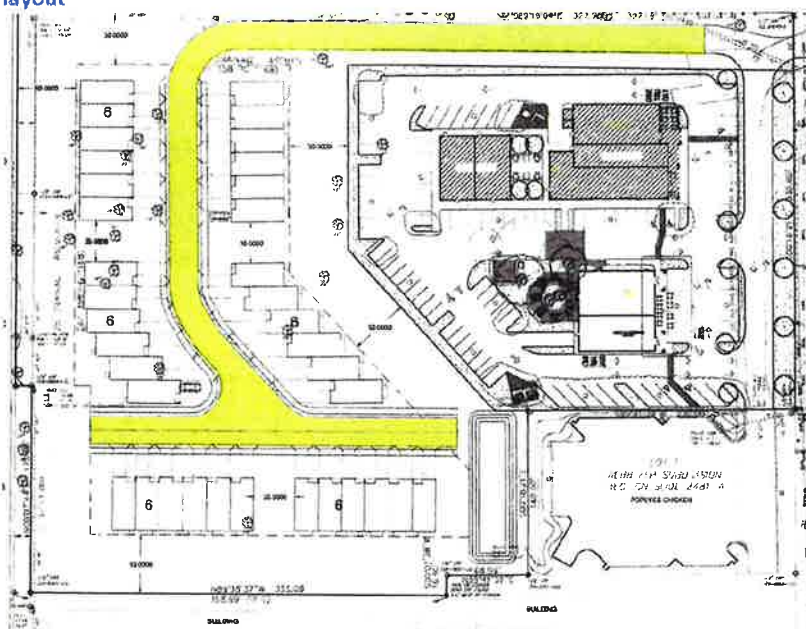
Background Information

U.S. Highway 98 is a major traffic arterial and the city's primary commercial corridor. Instances of townhouse development with access to U.S. Highway 98 include: Summer Oaks Town Houses, north of Wal-Mart. Instances where apartments have a direct access U.S. Highway 98: Colonnade at Eastern Shore (southeast of the intersection of Johnson Road); Windscape and Arbors by the Bay Apartments, north of Wal-Mart), East Bay Apartments and Sea Cliff Condos.

Figure 1: 2016 Zoning Display-Eastern Shore Associates, LLC conceptual site plan layout

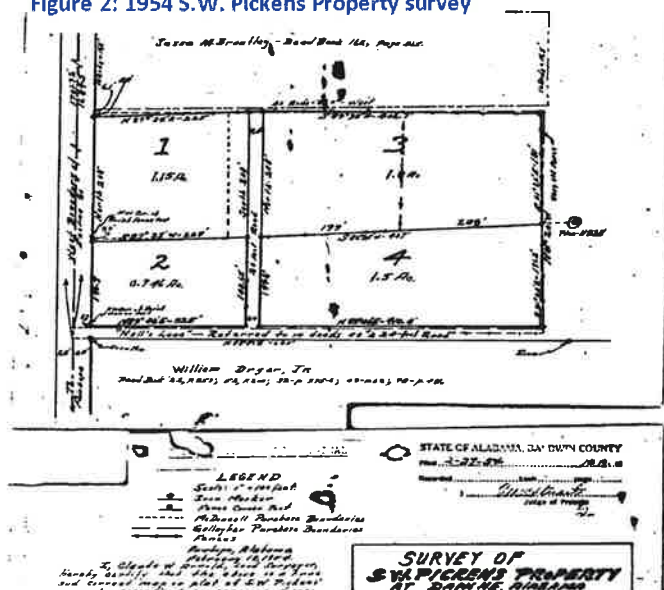
At the request of Eastern Shore Associates, LLC, the Daphne City Council rezoned Shore Oaks Lot 2, 4.3 acres, from B-2 to R-7(T) in Ordinance 2016-43. This is the rendering submitted with the rezoning application: it demonstrates the original conceptual layout for a townhome development.

Under the current zoning designation, up to 43 townhouses are permissible (10 units/acre). No other uses are permissible in the R-7(T) district. **This land is a part of the rezoning application.**



The western section of the rezoning petition includes Lot 3 of the S.W. Pickens Property surveyed in

Figure 2: 1954 S.W. Pickens Property survey



1954. It abuts Falkenberry Lane, a 20-ft wide public right of way. The survey also shows Hall's Lane, a 24-ft r.o.w. along the southern border. The 1.8 acre site is zoned R-3, High Density Single Family Residential, and would permit 3.5 dwelling units per acre. At this time, only one residential dwelling can be constructed by right. Another available option is for the owner to submit an application to the city for a 6-lot subdivision for Planning Commission review. Townhouses are not permitted in the R-3 district. **This land is a part of the rezoning application.**

The above-described land is located to the east of Falkenberry Lane and east of the Daphne Court subdivision. Daphne Court Subdivision is a resubdivision of Lot 1 (1.15 ac) of the S.W. Pickens Survey and is a six lot subdivision recorded in 1955 located west of Falkenberry Lane. Each lot is 6,750 square feet in area. Daphne Court is a 28-ft wide publicly maintained right of way. Said land is zoned R-3, High Density Single Family Residential.

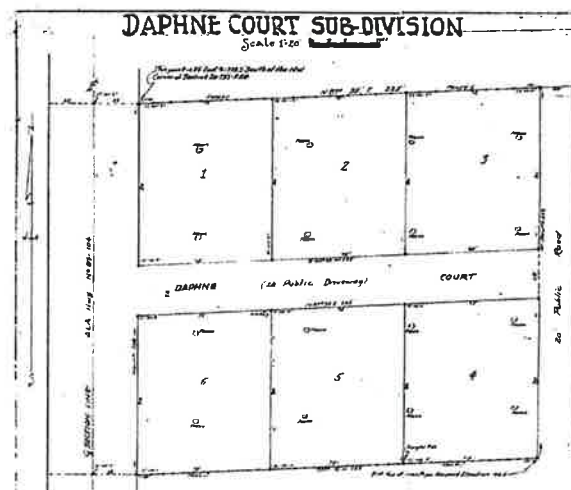


Figure 3: 1955 Daphne Court Subdivision

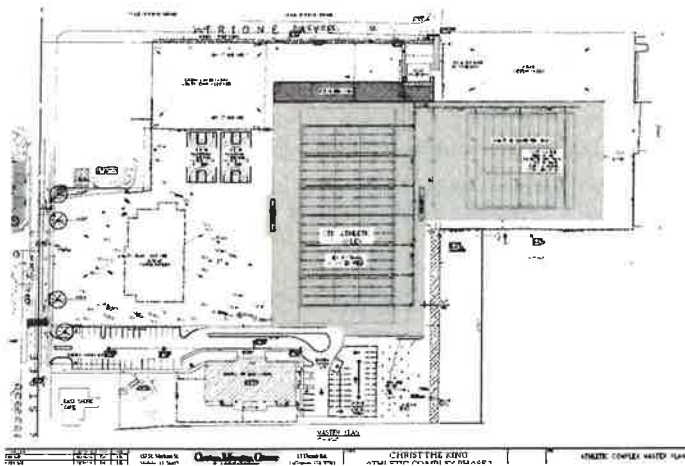
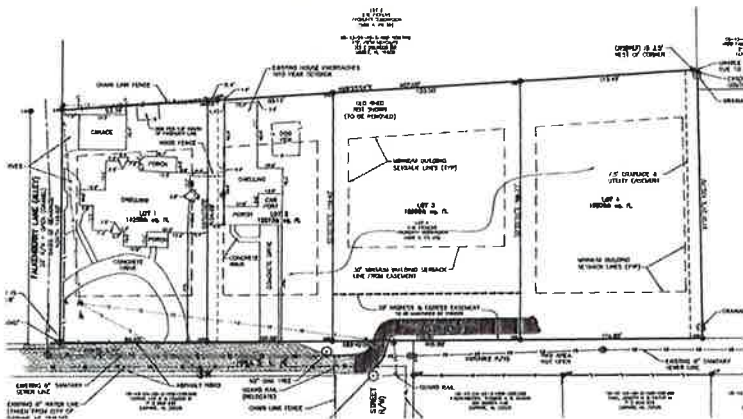


Figure 4: 2017 Christ the King Sports Complex & Early Childcare Center

Christ the King Catholic Church's property (child development center and sports complex) is located north of the Daphne Court Subdivision and north of S.W. Pickens Survey Lot 3. It is zoned B-1, Local Business. The sports fields were constructed in 2017. The child development center was constructed years prior.

The Baldwin Family Subdivision, a resubdivision of Lot 4, S. W. Pickens property, is located south of the proposed rezoning site. There are 4 single family lots zoned R-3, High Density Single Family Residential.

Figure 5: 2008 Baldwin Family Subdivision



In 2017, Ruth Rye quit-claimed a 0.06 acre strip of land located along the southwestern boundary of the Jacob's Well site. It is a remnant of the land between Shore Oaks Lot 2 and S.W. Pickens Lot 3. It was quit claimed to her in 2015 by the Webb Family Limited Partnership. Said remnant is zoned B-2, General Business. *Residential uses are not permissible in B-2 zone district.* **This land is a part of the rezoning application.**

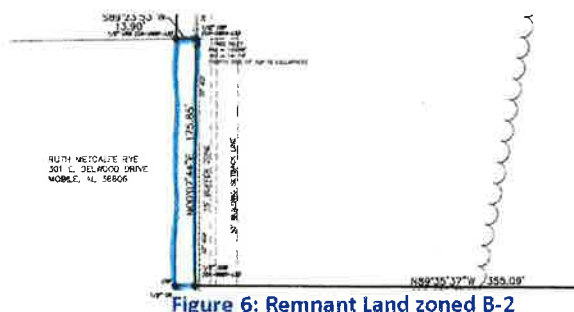
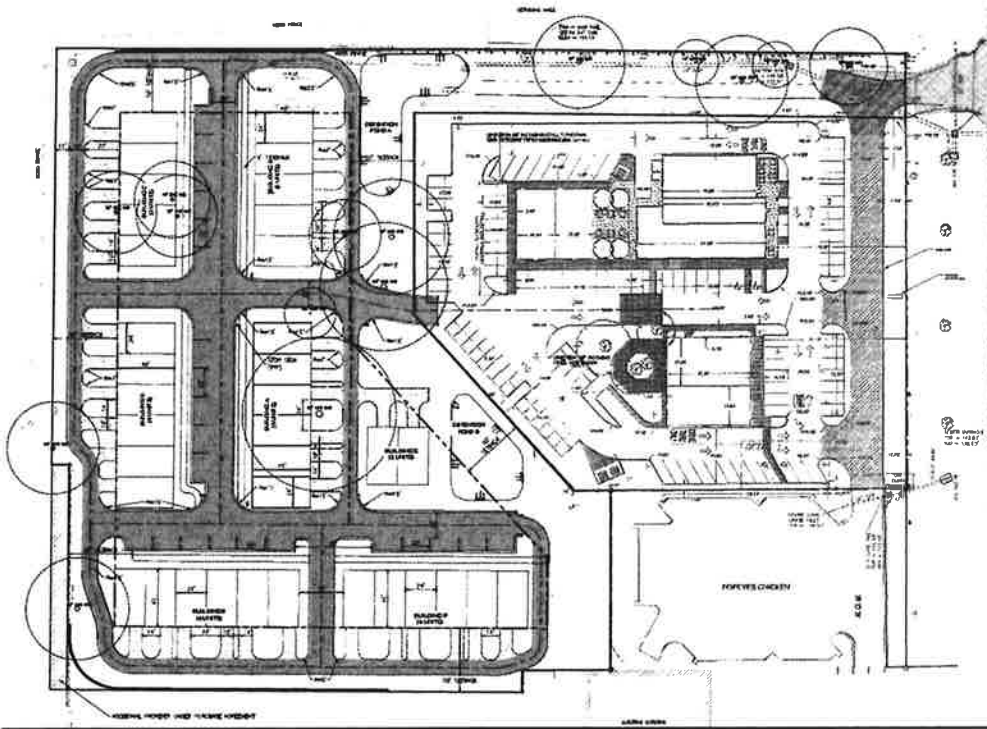


Figure 6: Remnant Land zoned B-2

Figure 7: 2017 Olde Towne Daphne Townhouses Approved Site Plan-38 townhouses



In March 17, 2017, the Planning Commission granted site plan approval which was worded as follows:

The City of Daphne
Planning Commission Minutes
Regular Meeting of March 23, 2017
Council Chamber, City Hall - 5:00 P.M.

A Motion was made by Mr. Scott and Seconded by Mr. Sandefur to approve the site plan for Olde Towne Daphne Townhomes, with the greenbelt as presented in lieu of Article 13-3, contingent upon compliance with the minimum setback requirements; contingent upon receipt of a signed and recorded agreement regarding an ingress/egress easement through Shore Oaks Center to be submitted to Community Development prior to the issuance of a site disturbance permit; with a condition that no certificate of occupancy will be issued until such time as a satisfactory secondary access is provided and available for ingress/egress, and all requisite ALDOT right-of-way improvements shall be installed prior to issuance of the first certificate of occupancy. There was no discussion on the motion. The Motion carried. Ms. Bergin and Mr. Prescott dissented.

The applicant submitted a copy of Instrument #1627300, the ingress/egress easement through Shore Oaks Center. The Site Disturbance permit was issued by Community Development in February 2018. No building permit has been issued for the project as of the writing of this report. This land is a part of the rezoning application.

Current (July 2018) Proposal

According to Article 30-1, Planned Unit Development District General provision, “Overall, the City desires PUD zoning to produce development that is *superior* to development designed under conventional zoning and subdivision regulations.” According to Section 30-7 (d), General Requirements, “The PUD shall provide, through desirable arrangement and design, *benefits which justify deviations from conventional development standards* which would otherwise apply.

The applicant proposes to rezone two lots and one remnant parcel, total of 6.3 acres, from B-2, R-7(T) and R-3 to PUD district for a Planned Unit Development comprised of townhouses and live/work units. Each lot and remnant parcel was described on the previous pages; each description included a statement that **“this land is a part of the rezoning application”**. The Land Use & Development Ordinance, Article 30, Planned Unit Development District General provision, describes standards for all PUDs.

Rezoning the property for a Planned Unit Development with townhome and live/work units as shown on the General Plan is appropriate in theory. The overall concept is one that transitions from Highway 98 stepping down from east to west from one intense use to a relatively less intense use. One may also consider the reverse as well going from west to east; the uses would step up from a less intense use to a more intense use from Main Street to Highway 98.

Jacob’s Well PUD (Review of July 2018 Revised PUD Standards)

- The rezoning application was amended by Craig Dyas on July 9th to accommodate concerns enumerated by the Planning Commission, citizens and staff at the June 28th Planning Commission meeting. The revised Jacob’s Well PUD Standards and display entitled “Jacob’s Well,” Exhibit ‘A’ and an untitled drawing with the Dyas, LLC logo at the bottom corner of the page were submitted by the applicant for consideration. *The following is staff review of the amended application material.*
- According to the narrative of the Jacob’s Well Townhomes, the proposed development is a new urbanism design which is to consist of 52 residential units (8 detached townhouses, 6 buildings containing six attached townhomes, 1 building containing 2 townhomes and 6 loft apartments (upper floor of the 3 live/work mixed use buildings). The proposed overall residential density is 8.39 units/acre—52 units on 6.2 acres. This density is slightly less than that of a townhouse district (10 units per acre). No lots or subdivision of land or combining of land is currently proposed. *(No changes were made with regard to the number of units, density, building layout in the revised material)*

- The northern boundary or “staff” portion of Lot 2, Shore Oaks Olde Towne Daphne Townhomes, a flag lot, is proposed to be developed for either a 20-ft wide access to meet the Fire Code and/or parking to compensate that which will be removed from the Shore Oaks Shopping Center site. *(Revised document indicates that the POA will be responsible for maintenance of the secondary fire access).*

(As described in Instrument #1627300, excerpt provided below):

Pursuant to this agreement, vehicular and pedestrian traffic coming from and/or going to Grantee's Property shall be entitled to the unrestricted use of the above defined 24-foot wide through-way from the western boundary of Grantor's Property to the eastern boundary of Grantor's Property between the restaurants currently operating under the trade names Taziki's Mediterranean Cuisine and Moe's Southwest Grill for access, ingress and egress to and from Highway 98. Grantee, its successors or assigns shall have the right to maintain, improve or repair said through-way, which shall be hereafter known as either “Jacob's Way” or “Jacob Dyas Way”, as determined by Grantee, its successors or assigns.

Grantee, its successors or assigns shall construct, or cause to be constructed, twenty-two (22) shared on-street parking spaces on Grantee's Property, which upon completion may be used by Grantor, its successors or assigns. Additionally, or alternatively, Grantee, its successors or assigns may construct, or cause to be constructed, twenty-two (22) additional shared parking spaces in another location on or adjacent to Grantor's Property, at which time Grantor, its successors or assigns shall cease to be entitled to the use of the twenty-two (22) on-street parking spaces on Grantee's Property and shall then become entitled to the use of the twenty-two (22) additional parking spaces built on said other location on or adjacent to Grantor's Property. Grantor, its successors or assigns shall have the right to maintain, improve or repair designated mitigation parking spaces. Grantee, its successors or assigns shall construct, or cause to be constructed, for the mutual benefit of Grantee, its successors or assigns and Grantor, its successors or assigns as many parking spaces as are lost as a result of the construction of the through-way from Grantor's Property to Grantee's Property.

Final Staff Comment:

According to Article 30-1, Planned Unit Development District General provision, “Overall, the City desires PUD zoning to produce development that is *superior* to development designed under conventional zoning and subdivision regulations.” According to Section 30-7 (d), General Requirements, “The PUD shall provide, through desirable arrangement and design, *benefits which justify deviations from conventional development standards* which would otherwise apply.

Some Planning Commissioners questioned whether the Jacob’s Well PUD application is compliant with Article 30. ***Yes, the application meets the minimal standards denoted in Article 30.***

Does the design present superior development design? The design maximizes the use of the land leaving only 10% open space. The R-7(T) portion is designed similarly in nature to the approved site plan, with the exception of the reduction in the perimeter greenbelt and the addition of live up/work down units (not permitted outside of the Olde Towne Daphne of Village Overlay district except by PUD zone). The R-3 portion is designed with 8 detached townhouses rather than 6 detached single family houses.

The most concerning element of the proposal is and has consistently been the potential impact of the new traffic from the proposed development to the immediately neighboring residential land owners with frontage along Daphne Court and Falkenberry Lane, as well as those within the Olde Towne Daphne area.

The revised PUD standards and general plan shows connection to Daphne Court and Falkenberry Lane for the proposed 8 single family detached townhouses. It also purports to provide an access point allowing pedestrian traffic from Main Street to Highway 98 through Daphne Court extension.

Questions for the Planning Commission and City Council to consider are as follows:

- a) Is it in the best interest of the public health, safety and general welfare of the City of Daphne to approve the proposed PUD?
- b) Are the proposed benefits itemized in the PUD Standards (Item #22) sufficient?
- c) What if anything else could be done to reduce the impact of the development?

If after answering the aforementioned questions it is considered appropriate for approval, then the following rights should be reserved by the City of Daphne (*these remain the same as initially presented in the June PC report*).

1. The City should reserve the right to require privacy fences along the exterior perimeter of property where abutting existing single family residential uses or where otherwise deemed appropriate. The City should also approve the height and design of said fence.

2. If a connection is allowed to Daphne Court, a traffic impact study should be required prior to the issuance of any city permit for clearing, construction or land disturbance of Lot 3, S.W. Pickens Survey, where the applicant desires to construct up to 8 single family detached townhouses on 3,000 sq. ft. lots and connect a road to Falkenberry Lane and to Daphne Court. The traffic impact study will determine what if any traffic improvements are warranted as a result of the overall proposed development.
3. The City should reserve the right to review said traffic impact study and to mandate improvements in the best interest of the health, safety, general welfare of the citizens of the City. All road improvements should meet City standards and be approved by the City, regardless of statements provided in the PUD standards to the contrary. These improvements should be installed concurrently with any proposed clearing, construction or land disturbance of Lot 3, S.W. Pickens Survey, and should be complete prior to the issuance of any building permit upon Lot 3.
4. The City is not be obligated to participate materially or financially toward any public improvements necessitated by the proposed development. Said improvements should be the developer's or assign's responsibility unless otherwise deemed appropriate by the City Council.
5. Any statement provided in the PUD standards contrary to that which is provided in Article 30, PUD Standards, shall be considered null and of no effect.
6. Any statement provided in the PUD standards contrary to the policies and rules which regulate the issuance of Certificates of Occupancy shall be considered null and of no effect.

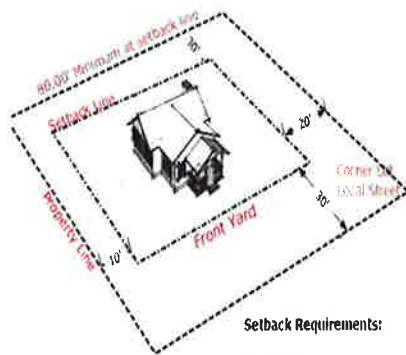
If these statements are deemed appropriate, they should be clearly written in the ordinance which would establish zoning for the property. For example:

WHEREAS, the City Council of the City of Daphne after due consideration and upon consideration of the recommendation of the Planning Commission, and the public hearing deemed that said application for rezoning 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.

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

SECTION I: ZONING

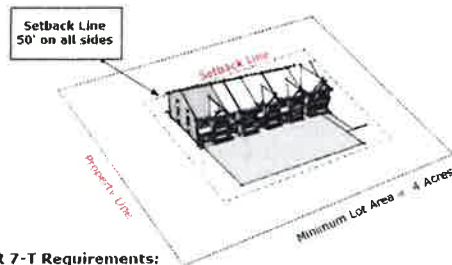
R-3 High Density Single Family Residential



Setback Requirements:

Front Yard -
 30' Arterial or collector streets
 30' Local Streets & service rds
 50' U.S. Highway
 Rear Yard - 30'
 Side Yard - 10'
 Side Yard/Corner Lot -
 30' Arterial or collector streets
 20' Local streets or service rds

R-7 Townhouse District



R 7-T Requirements:

Minimum Setback Lines - front/rear/side/corner 50'

Maximum Height - 35 feet
 Maximum Stories - 2 stories

Minimum Distance Between Bldgs:
 facing front-to-back - 100' (25'
 minimum from back of curb)
 facing back-to-back - 100'
 side-to-side - 1/2 sum of height of
 both bldgs

Greenbelt Area:
 Along Perimeter Roadway - 25' in addition to minimum setback.
 Remaining Project Boundary - 25' located within setbacks.

11-6 MINIMUM STREET REQUIREMENTS

	Major Street	Collector Street	Local Street	Cul-de-Sac ¹ (Turn around)	Cul-de-Sac ¹ (Turn around w/ 20-ft island)	Hammer Head Turnaround	Alley
Minimum Right-of-Way:	100'	60'	50'	60' (120' diam.)	70' (140' diam.)	120'	30'
Minimum Asphalt Width (ft) ² :	12' per lane	12' per lane	22'	48' (93' diam.)	56.5' (113' diam.)	20'	20'

¹ Cul-de-sacs shall not be longer than one thousand three hundred twenty (1320) feet measured from the intersecting street to the center of the turnaround.

² Measured from toe of curbing. Minimum twenty-four (24) feet combination curb and gutter or twenty-four (24) feet valley gutter. Other curb types must be submitted to Public Works Director for approval.

³ May vary with topography subject to Planning Commission approval based on recommendation of Public Works Director and Director of Community Development.

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

CITIZEN COMMENTS

FOR

JACOB'S WELL PUD

**DAPHNE COURT RESIDENTS
AND NEIGHBORS**

June 26, 2018

VIA HAND DELIVERY

Ms. Adrienne Jones
Planning Director
City of Daphne
1705 Main Street
Daphne, Alabama 36526

**RE: Revised PUD for Jacob's Well and Ruth Rye property
(submitted May 29, 2018)**

Dear Ms. Jones:

We are writing to oppose the application for rezoning submitted by Dyas, LLC on behalf of Jacob's Well, LLC on May 29, 2018.

This developer continues to persist in attempting to devastate existing neighborhoods and increase the traffic on Main Street in order to satisfy the burden he undertook to provide a secondary access to the Townhome development presented to (and conditionally approved by) the Planning Commission in March 2017. At that time, the Planning Commission and Fire Chief White expressed grave concerns about the developer's failure adequately to provide for a secondary access to the proposed Townhome development. The developer told the planning commission then that a connection could be made to the right-of-way of U. S. Highway 98 along the **50-foot strip on the north side of the property**, owned by the developer. Chief White pointedly asked the developer back in March 2017 to dedicate the 50-foot strip as the secondary access, but the developer refused to do so then, and still has not done so. Rather, the developer continues to seek to shift

the burden and cost of the required secondary access to the residents of well-established neighborhoods to the West of his planned development, and to the City of Daphne.

Access through Daphne Court to the Townhome development was first presented to the Planning Commission in December, 2017; after serious questions were raised about the effect of the increased traffic, the developer was asked to make changes and come back in January 2018. No changes were submitted that addressed the Commission's concerns, and the Planning Commission made an unfavorable recommendation to the City Council. When it became clear from the Council's comments, questions and concerns at the February 5, 2018 meeting that the City Council would not approve the proposed PUD that would funnel traffic through Daphne Court, the developer withdrew his rezoning request.

Undeterred, the developer emailed the City Clerk on March 5, 2018, seeking to "withdraw" his "withdrawal" from the previous Council meeting; to have the Council waive all requirements for reconsideration by the Planning Commission; to have the Council waive the second reading; and to make a decision on the proposal for access through Daphne Court at the April 16, 2018 meeting. In the City Attorney's opinion, this was not legally permissible and was not done.

Now, the developer is back again. Notwithstanding his ownership of a 50-foot strip on the north end of the Townhome property that can and should be used for the secondary access, the developer continues to seek to route traffic through Daphne Court or other substandard streets "at his option." The proposal currently before the Planning Commission has been "tweaked" to propose a "limited access gate," but the problems with providing a secondary access remain unchanged.

The proposal under consideration is vague and internally inconsistent. There is certainly no guarantee that the "gate" would truly limit access or would be permanent. The developer continues to insist that he wants "flexibility" and that the choice of which secondary access to use should be "at the developer's option." This developer continues to demonstrate that he will choose an option that is

hugely inconvenient and causes real impositions on the adjacent neighborhoods, rather than the option that has him utilizing property he already owns to provide the required secondary access. His interest is manifestly solely his own development, regardless of the detriments and burdens to the other property owners in such neighborhoods. He has demonstrated that he is willing to say pretty much anything to get this access approved but never commits himself in writing. The developer assured the Planning Commission back in 2017 that he could provide secondary access through the 50-foot strip he owned. Based on this representation, the Townhome development was approved. If he had presented then what he now proposes as the true solution, public outcry against the proposal was certain. So he concealed his true plan. He's now reneging on the representations he made to get the Townhome development approved in the first place. If he simply does what he told the Commission he would do, it would avoid all the inconvenience and opposition to tearing up existing roads and neighborhoods "at the developer's option." He said he would use the 50-foot strip, and he should do it.

The motivation of the developer here is clear: he places his preferences and options above the interests of all neighbors to the West and South of his proposed development (and everyone who visits, attends church, exercises, goes to school, drives or merely walks on the existing sidewalks on already overburdened Main Street), rather than use the property he owns as the secondary access he agreed to provide back in March, 2017.

His current request should be denied.

Respectfully,

NAME:

Edward Paul Jones

ADDRESS:

903 H2115 Ln

Nicholas Baldwin

Felicia Coker

Larry Earnest

Dorothy Earnest

Amie F. Nash

Dan C. Nash

John Mangum

Cheryl Henderson

Bill Henderson

Robert Agard

Ally B. Agard

John McMahon

Diane P. McMahon

Steve Olen
Steve Olen

903 Halls Ln

900 Halls Lane

804 DAPHNE CT

804 Daphne Ct.

803 Daphne Ct.

803 DAPHNE CT.

802 Daphne Ct.

801 Daphne Ct

801 Daphne Ct.

905 Halls Lane

905 Halls Lane

1419 Sixth St

1419 6th St

437 Village Drive

page 5
name

address

Dean McKinney

702 Van Ave Daphn, AC 36522-6

Thomas M. F. S.

702 Van Ave 36526

Albert L. Vick

702 Van Ave 36526

Andrew

1500 Main St

William H. Robinson

1500 Main St.

J. McAllister

73999 Main St

Katherine G. Alsip

1320 Old County Rd

Anthony L. Conroy

92311 Plenum / Rd

JoAnne Keller

10329 Co Rd 64

Lee Jones

A. Victoria Jones

Jan Hunt

601 Bay Bluff E Daphn

Alexander M. Schuster

11827 County Rd 54

name

address

Burt F. Hunt

504 McAdams Ave

Charles H. Hall

136 Pineledge Rd

J. Wayne Jones

501 Cedar Cr.

John A. Halden

809 Pinewood Ct, Dayton

Roy Lee

150 Sound Cr

Shirley

107 Easton Circle

Jan Vallecillo

From: Adrienne Jones
Sent: Thursday, June 28, 2018 9:34 AM
To: Jan Vallecillo
Subject: FW: Daphne Court Bust Through-Citizen Comments for Daphne Planning Commission

From: Cynthia Brasher [<mailto:crwbrasher@gmail.com>]
Sent: Thursday, June 28, 2018 6:54 AM
To: Adrienne Jones
Subject: Daphne Court Bust Through

I can't attend the Planning committee meeting this afternoon but I would like to voice my opinion on the matter of the destruction of Olde Towne Daphne. We've lived in Potters Mill for 23 years. We moved here because of the quaint feel of the old downtown area of Daphne. That quaint feeling has constant pressure put upon it. The traffic is already terrible in the area that this new development would impact. I understand we can't stop the new houses being built, but the traffic needs to be sent out on Highway 98 where it can be handled better. That quiet, little lane of Daphne Court does not need to have traffic dumped through it. Christ the King Church does not need any more traffic being dumped at its door step. That area already has school traffic from four schools traveling through it. It does not need any more especially since that traffic can easily be sent to Highway 98.

I thought when the matter was tabled the last time it was brought before you, the developer was to bring back a better plan that would not impact the Olde Towne area. It sounds like he has brought back the same or a worse plan.

Thank you for your time.



Adrienne Jones
Planning Director
ajones@daphneal.com
City of Daphne, Alabama - "The Jubilee City"
Phone: 251-620-1000 Web: www.daphneal.com

Jan Vallecillo

From: Adrienne Jones
Sent: Thursday, July 26, 2018 2:02 PM
To: Jan Vallecillo
Subject: FW: Zoning of Daphne Court

-----Original Message-----

From: Donna L Ballard [<mailto:JFBTSG@aol.com>]
Sent: Thursday, July 26, 2018 1:56 PM
To: Adrienne Jones
Subject: Zoning of Daphne Court

Please know that many of us in Daphne DO NOT want DAPHNE COURT opened up or rezoned.

Opening DAPHNE COURT will make traffic on Main even harder to navigate ... this area is already flooded with traffic from Christ the King Church and School along with traffic to Bay Side and our Elementary and Middle Schools.

DAPHNE COURT is a small little narrow court ... without WIDENING it will not hold high traffic!

I personally do not know anyone living on Daphne Court, but these people built and purchased homes with intention of living on a quiet little court with low traffic. These people deserve to have their homes and property protected by the CITY OF DAPHNE, where they pay taxes, live and play.

Opening DAPHNE COURT will cause undue traffic and loss of privacy to the residence on the court. DAPHNE COURT is too narrow to handle high traffic

The developer knew when he purchased his property for development that his development would flow onto 98 ... so be it we are getting way too many apartments and condos ... but the flow of traffic should not be DUMPED onto Main Street.

Developers come and move on ... residents stay ... we VOTE ... PAY TAXES ... and REMEMBER

PLEASE DO NOT OPEN DAPHNE COURT

Thank You,
Donna Ballard
John Ballard

445 Village Drive
251-626-9115

[<http://www.daphneal.com/emails/signatureimage.png>]<http://www.daphneal.com/>

Adrienne Jones

Planning Director

ajones@daphneal.com<<mailto:ajones@daphneal.com>>

City of Daphne, Alabama - "The Jubilee City"

Phone: 251-620-1000 Web: www.daphneal.com<<http://www.daphneal.com>>

**CITY OF DAPHNE, ALABAMA
RESOLUTION 2018-34**

A RESOLUTION SUPPORTING THE ALABAMA BICENTENNIAL COMMISSION

WHEREAS, at a meeting of the Daphne City Council on August 6, 2018, the following Resolution was proposed and approved.

WHEREAS, the United States Congress created the Alabama Territory from the eastern half of the Mississippi Territory on March 3, 1817; and,

WHEREAS, by 1819, the birth and growth of cities, towns, and communities in the Alabama Territory ensured that the population of the Territory had developed sufficiently to achieve the minimum number of inhabitants required by Congress to qualify for Statehood; and,

WHEREAS, the United States Congress and President James Monroe approved Statehood for the Alabama Territory on December 14, 1819 making it the nation's twenty-second state; and,

WHEREAS, the Alabama Legislature approved a resolution in 2013 establishing the Alabama Bicentennial Commission to mark the 200th anniversary of Statehood; and,

WHEREAS, constitutional officers and other officials appointed Commission members to organize and execute a bicentennial celebration intended to improve the education and understanding of all Alabamians and visitors regarding the State's history and heritage; and to create and promote lasting initiatives designed to benefit the State and its citizens; and,

WHEREAS, the bicentennial period of reflection and commemoration, 2017 to 2019, has been divided into three thematic years to acknowledge distinctly: the environment, both natural and constructed, including especially the cities, towns, and communities which compose the State; the people, regardless of race, culture, or background; and the history, both ancient and recent, of the State of Alabama; and,

WHEREAS, commemorations and celebrations will enable and encourage Alabamians of all ages and backgrounds, together with visitors, to experience Alabama's rich cultural, historic, and natural resources, thereby stimulating the economy of Alabama through local economic growth; and,

WHEREAS, full participation and contributory efforts by the localities of the State, through their various councils, committees, and congregations, are paramount to the success of this historic endeavor; and,

WHEREAS, participation in Alabama's bicentennial is a unique opportunity to celebrate and uplift the State during this historic time;

NOW THEREFORE, be it hereby proclaimed by the Daphne City Council and Mayor Dane Haygood, that by this action, they endorse the efforts of the Alabama Bicentennial Commission and hereby resolve to aid the Alabama Bicentennial Commission in promoting, planning, and executing the Commission's historic, educational, celebratory, and cultural initiatives by forming or supporting a Community Celebration Committee to observe and commemorate the bicentennial of the State of Alabama.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA,
THIS _____ day of _____, 2018**

Dane Haygood, Mayor

ATTEST:

Candace G. Antinarella, City Clerk

**CITY OF DAPHNE, ALABAMA
RESOLUTION 2018-35**

**Acceptance of Streets and Drainage
Located in the Winged Foot Subdivision, Phase 2A**

Whereas, the City Council of the City of Daphne, Alabama has received notice that the Planning Commission of Daphne has given Final Plat approval to Winged Foot Subdivision, Phase 2A on July 26, 2018, and the City of Daphne hereby recommends acceptance of said street(s) located in Winged Foot Subdivision, Phase 2A; and,

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

Whereas, an inspection was made by the Director of the Division of Public Works, and said director has recommended acceptance said streets and stormwater drainage of Winged Foot Subdivision, Phase 2A; and,

Whereas, the developer has provided to the City a two-year maintenance bond in the amount of \$41,782.50 as required and now requests acceptance and dedication of the same for maintenance of said improvements as outlined in Article XVII, entitled the Procedures for Subdivision Review of the City of Daphne Land Use and Development Ordinance; and,

Whereas, the developer has caused the plat to be recorded on slide #2650-A of the records in the Baldwin County Judge of Probate Office; and,

Whereas, the City Council of the City of Daphne believes it is in the best interest of the citizens of the City for the City to accept said right-of-way; and,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE AS FOLLOWS, that Winged Foot Subdivision, Phase 2A, Harmon Street, a 50-ft right of way and Gilmore Way, a 50-ft right of way according to the plat presented by Dewberry Preble-Rish as recorded in the Office of the Judge of Probate, Baldwin County, Alabama, are hereby accepted by the City of Daphne, Alabama as city streets for maintenance.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA this ____ day of _____, 2018.

Dane Haygood, Mayor

ATTEST:

Candace G. Antinarella, City Clerk

To: Office of the City Clerk
From: Adrienne D. Jones, *ADJ*
Director of Community Development
Subject: Winged Foot Subdivision, Phase 2A
Acceptance of Roads and Rights-of-Ways

MEMORANDUM

Date: July 27, 2018

LOCATION: Northeast of Edgewood Drive and County Road
64

RECOMMENDATION: At the, July 26, 2018, regular meeting of the City of Daphne Planning Commission, seven members were present. The motion carried unanimously for a ***favorable recommendation*** for the acceptance of Harmon Street and Gilmore Way as a city street(s) for maintenance.

Attached please find said documentation for placement on the Monday, August 6, 2017 City Council agenda.

Thank you,
ADJ/jv

cc: file
Jeremy Sasser, Public Works Director

attachment(s)

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

FILE
7/30/18
11:15am

June 13, 2018

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

RE: Winged Foot Phases 2A & 2B

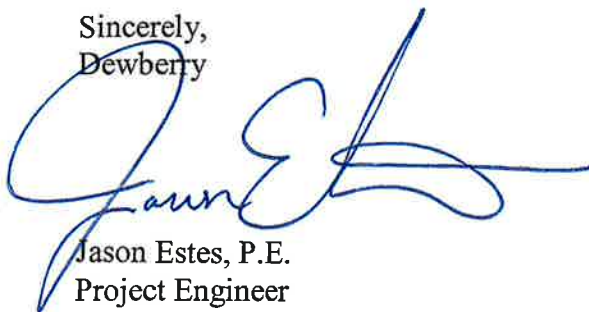
Dear Mrs. Jones:

I, Jason Estes, a professional engineer registered in the State of Alabama, Registration Number 22714, do hereby certify that the streets for Winged Foot Phases 2A & 2B have been constructed under my supervision in accordance with the approved construction plans.

I further certify I have checked all test reports and that all construction materials have been installed in accordance with the typical sections, profiles, and plan details and meet minimum requirements as set out in the State of Alabama Highway Department's Standard Specifications for Highway Construction, latest edition and current revisions.

Therefore, I hereby request that the City of Daphne accept the streets for Winged Foot Phases 2A & 2B subdivision.

Sincerely,
Dewberry



Jason Estes, P.E.
Project Engineer



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

SUBDIVISION NAME: WINGED FOOT PHASE 2A

LOCATION: COUNTY ROAD 64

THIS ACCEPTANCE OF ROADS AND RIGHTS-OF-WAY is made this 12th day of JULY, 2018 by Winged Foot Development 2016, LLC, hereinafter called the Subdivider, owner of certain property located in Baldwin County, Alabama known as Winged Foot Phase 2A Subdivision to be recorded in the office of the Judge of Probate of Baldwin County, Alabama; and,

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

WHEREAS, the Subdivider does hereby agree to provide a Maintenance Bond, as outlined in Article XVII, entitled Subdivision Review, in an amount equal to ten (10) percent of the total street and drainage improvements (\$41,782.50) in the subdivision for a period of two (2) years after the date of their acceptance and dedication of the same to the City. Said bond shall be required by the City as a condition to the acceptance and dedication of any new roads or rights-of-way within the City; and,

WHEREAS, the Project Engineer acting on behalf of the Subdivider does hereby certify that all roads and rights-of-ways are complete and are in compliance with the minimum standards as outlined for construction in the City of Daphne Land Use and Development Ordinance, Article XVII, entitled, Subdivision Review, and Article XI, Minimum Requirements and Required Improvements.

WHEREAS, the City of Daphne, Alabama, acting by and through the recommendation of the City of Daphne Planning Commission, has agreed to accept the responsibility for the maintenance of the roads and rights-of-way of said subdivision subject to a two (2) year maintenance period as described above; and,

WHEREAS, the City of Daphne has agreed to accept the property within the confines of the road right-of-way which does not include drainage or utility easements or any other improvements outside of these confines.

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

NOW, THEREFORE, in consideration of the premises, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Subdivider does hereby dedicate the roads and rights-of-way in said subdivision to the City of Daphne, a municipal corporation, as per the recommendation of the City of Daphne Planning Commission at their regular meeting of July 26, 2018. That said subdivision according the plat recorded in the Judge of Probate, Baldwin County, Alabama and said streets being named Harmon Street, Gilmore Way, Mackie Lane

are hereby accepted for maintenance by the City of Daphne, Alabama as a city street.

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

Respectfully submitted,

 WINGED FOOT Development 2016 LLC
Name of Individual or Corporation

By: Geoff Lane

Its: Manager and sole member

STATE OF ALABAMA)
COUNTY OF BALDWIN)

I, the undersigned Notary Public in and for said State and County, hereby certify that whose name as Geoff Lane of Winged Foot Development 2016, an Alabama corporation or as owner of _____ is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he as such officer or owner and with full authority, executed the same voluntarily on the day same bears date.

Given under my hand and official seal on this the 12 day of July, 2018.

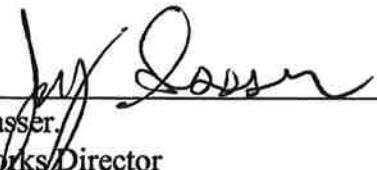
 (NOTARY SEAL)
NOTARY PUBLIC

My commission expires: _____

ANNE B GARDNER
Notary Public, Alabama State At Large
My Commission Expires 05/23/2022

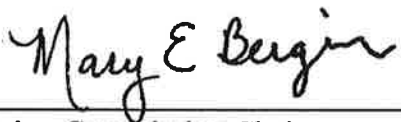
CITY OF DAPHNE
PETITION FOR ACCEPTANCE
OF ROAD(S) AND/OR RIGHTS-OF-WAY

Recommendation:



Jeremy Sasser,
Public Works Director
City of Daphne

Approval:



Planning Commission Chairman or Authorized Representative
City of Daphne

**CITY OF DAPHNE, ALABAMA
RESOLUTION 2018-36**

**Acceptance of Streets and Drainage
Located in the Winged Foot Subdivision, Phase 2B**

Whereas, the City Council of the City of Daphne, Alabama has received notice that the Planning Commission of Daphne has given Final Plat approval to Winged Foot Subdivision, Phase 2B on July 26, 2018, and the City of Daphne hereby recommends acceptance of said street(s) located in Winged Foot Subdivision, Phase 2B; and,

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

Whereas, an inspection was made by the Director of the Division of Public Works, and said director has recommended acceptance said streets and stormwater drainage of Winged Foot Subdivision, Phase 2B; and,

Whereas, the developer has provided to the City a two-year maintenance bond in the amount of \$44,640.76 as required and now requests acceptance and dedication of the same for maintenance of said improvements as outlined in Article XVII, entitled the Procedures for Subdivision Review of the City of Daphne Land Use and Development Ordinance; and,

Whereas, the developer has caused the plat to be recorded on slide #2650-B of the records in the Baldwin County Judge of Probate Office; and,

Whereas, the City Council of the City of Daphne believes it is in the best interest of the citizens of the City for the City to accept said right-of-way; and,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE AS FOLLOWS, that Winged Foot Subdivision, Phase 2B, Mackie Lane, a 50-ft right of way according to the plat presented by Dewberry Preble-Rish as recorded in the Office of the Judge of Probate, Baldwin County, Alabama, are hereby accepted by the City of Daphne, Alabama as city streets for maintenance.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA this ____ day of _____, 2018.

Dane Haygood, Mayor

ATTEST:

Candace G. Antinarella, City Clerk

To: Office of the City Clerk
From: Adrienne D. Jones, *ADJ*
Director of Community Development
Subject: Winged Foot Subdivision, Phase 2B
Acceptance of Roads and Rights-of-Ways

MEMORANDUM

Date: July 27, 2018

LOCATION: Northeast of Edgewood Drive and County Road
64

RECOMMENDATION: At the, July 26, 2018, regular meeting of the City of Daphne Planning Commission, seven members were present. The motion carried unanimously for a **favorable recommendation** for the acceptance of Mackie Lane as a city street(s) for maintenance.

Attached please find said documentation for placement on the Monday, August 6, 2017 City Council agenda.

Thank you,
ADJ/jv

cc: file
Jeremy Sasser, Public Works Director

attachment(s)

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

FILE
7/30/18
11:15 am



CURV	RADIUS	ARC	CHORD	CHORD BEARING
C1	125.00	27.18	27.11	S89°14'42"E
C2	25.00	18.23	18.47	S89°14'42"E
C3	25.00	18.23	18.47	S89°14'42"E
C4	25.00	18.23	18.47	S89°14'42"E
C5	25.00	18.23	18.47	S89°14'42"E
C6	25.00	18.23	18.47	S89°14'42"E
C7	25.00	18.23	18.47	S89°14'42"E
C8	25.00	18.23	18.47	S89°14'42"E
C9	25.00	18.23	18.47	S89°14'42"E
C10	25.00	18.23	18.47	S89°14'42"E
C11	25.00	18.23	18.47	S89°14'42"E
C12	25.00	18.23	18.47	S89°14'42"E
C13	25.00	18.23	18.47	S89°14'42"E
C14	25.00	18.23	18.47	S89°14'42"E
C15	25.00	18.23	18.47	S89°14'42"E
C16	25.00	18.23	18.47	S89°14'42"E
C17	25.00	18.23	18.47	S89°14'42"E
C18	25.00	18.23	18.47	S89°14'42"E

GENERAL NOTES:

1. THE LOCATION OF ALL UTILITIES, SEE CONSTRUCTION PLANS.
2. THE PROPERTY SHOWN IS 3.75 ACRES OF LAND, 1/4 SECTION 17, T2N, R2E, E1/4, ALABAMA COUNTY, ALABAMA.
3. THE PROPERTY IS BOUND BY WELLS RD. TO THE NORTH, COMMON AREA 16 TO THE EAST, COMMON AREA 16 TO THE SOUTH, AND COMMON AREA 16 TO THE WEST.
4. THE PROPERTY IS BOUND BY WELLS RD. TO THE NORTH, COMMON AREA 16 TO THE EAST, COMMON AREA 16 TO THE SOUTH, AND COMMON AREA 16 TO THE WEST.
5. THE PROPERTY IS BOUND BY WELLS RD. TO THE NORTH, COMMON AREA 16 TO THE EAST, COMMON AREA 16 TO THE SOUTH, AND COMMON AREA 16 TO THE WEST.
6. THE PROPERTY IS BOUND BY WELLS RD. TO THE NORTH, COMMON AREA 16 TO THE EAST, COMMON AREA 16 TO THE SOUTH, AND COMMON AREA 16 TO THE WEST.
7. THE PROPERTY IS BOUND BY WELLS RD. TO THE NORTH, COMMON AREA 16 TO THE EAST, COMMON AREA 16 TO THE SOUTH, AND COMMON AREA 16 TO THE WEST.
8. THE PROPERTY IS BOUND BY WELLS RD. TO THE NORTH, COMMON AREA 16 TO THE EAST, COMMON AREA 16 TO THE SOUTH, AND COMMON AREA 16 TO THE WEST.
9. THE PROPERTY IS BOUND BY WELLS RD. TO THE NORTH, COMMON AREA 16 TO THE EAST, COMMON AREA 16 TO THE SOUTH, AND COMMON AREA 16 TO THE WEST.
10. THE PROPERTY IS BOUND BY WELLS RD. TO THE NORTH, COMMON AREA 16 TO THE EAST, COMMON AREA 16 TO THE SOUTH, AND COMMON AREA 16 TO THE WEST.

SURVEYOR'S CERTIFICATE:

I, the undersigned, being a duly qualified and licensed Surveyor in the State of Alabama, do hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the owner of the property, and that the same is in accordance with the provisions of the laws of the State of Alabama.

Dated this 18th day of July, 2018.

Surveyor's Signature: [Signature]

Surveyor's Name: David E. Berry

SURVEYOR'S NOTES:

1. THE PROPERTY IS BOUND BY WELLS RD. TO THE NORTH, COMMON AREA 16 TO THE EAST, COMMON AREA 16 TO THE SOUTH, AND COMMON AREA 16 TO THE WEST.
2. THE PROPERTY IS BOUND BY WELLS RD. TO THE NORTH, COMMON AREA 16 TO THE EAST, COMMON AREA 16 TO THE SOUTH, AND COMMON AREA 16 TO THE WEST.
3. THE PROPERTY IS BOUND BY WELLS RD. TO THE NORTH, COMMON AREA 16 TO THE EAST, COMMON AREA 16 TO THE SOUTH, AND COMMON AREA 16 TO THE WEST.
4. THE PROPERTY IS BOUND BY WELLS RD. TO THE NORTH, COMMON AREA 16 TO THE EAST, COMMON AREA 16 TO THE SOUTH, AND COMMON AREA 16 TO THE WEST.
5. THE PROPERTY IS BOUND BY WELLS RD. TO THE NORTH, COMMON AREA 16 TO THE EAST, COMMON AREA 16 TO THE SOUTH, AND COMMON AREA 16 TO THE WEST.
6. THE PROPERTY IS BOUND BY WELLS RD. TO THE NORTH, COMMON AREA 16 TO THE EAST, COMMON AREA 16 TO THE SOUTH, AND COMMON AREA 16 TO THE WEST.
7. THE PROPERTY IS BOUND BY WELLS RD. TO THE NORTH, COMMON AREA 16 TO THE EAST, COMMON AREA 16 TO THE SOUTH, AND COMMON AREA 16 TO THE WEST.
8. THE PROPERTY IS BOUND BY WELLS RD. TO THE NORTH, COMMON AREA 16 TO THE EAST, COMMON AREA 16 TO THE SOUTH, AND COMMON AREA 16 TO THE WEST.
9. THE PROPERTY IS BOUND BY WELLS RD. TO THE NORTH, COMMON AREA 16 TO THE EAST, COMMON AREA 16 TO THE SOUTH, AND COMMON AREA 16 TO THE WEST.
10. THE PROPERTY IS BOUND BY WELLS RD. TO THE NORTH, COMMON AREA 16 TO THE EAST, COMMON AREA 16 TO THE SOUTH, AND COMMON AREA 16 TO THE WEST.

POINT OF COMMENCEMENT

NORTHWEST CORNER OF LOT 1A, VAN DERSTINE BUSINESS PARK UNIT TWO, LOT 1A, ALABAMA COUNTY, ALABAMA.

WINGED FOOT PHASE 2B

A PLANNED UNIT DEVELOPMENT

FINAL PLAT

JULY 9, 2018 - SHEET 1 OF 1 SHEETS

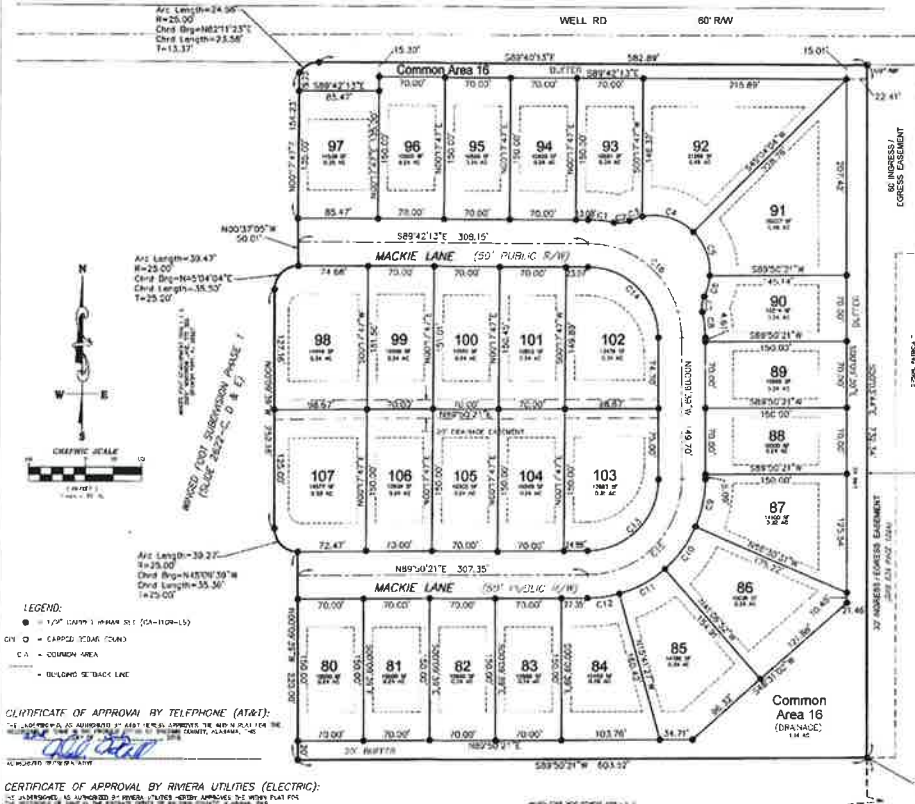
BOUNDARY SURVEY AND PLAT OF SUBDIVISION

DESIGN	D.E.D.	CHART	A.E.F.	CHART	D.E.D.
ENG	ANNE	SURVEYOR	D.E.D.	CHART	J.G.A.

Dewberry

170625

SLIDE 0002650 - B



CERTIFICATE OF APPROVAL BY TELFONE (AT&T):

I, the undersigned, being a duly qualified and licensed Surveyor in the State of Alabama, do hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the owner of the property, and that the same is in accordance with the provisions of the laws of the State of Alabama.

Dated this 18th day of July, 2018.

Surveyor's Signature: [Signature]

Surveyor's Name: David E. Berry

CERTIFICATE OF APPROVAL BY BELLFORD WATER SYSTEM:

I, the undersigned, being a duly qualified and licensed Surveyor in the State of Alabama, do hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the owner of the property, and that the same is in accordance with the provisions of the laws of the State of Alabama.

Dated this 18th day of July, 2018.

Surveyor's Signature: [Signature]

Surveyor's Name: David E. Berry

CERTIFICATE OF APPROVAL FOR RECORDING:

I, the undersigned, being a duly qualified and licensed Surveyor in the State of Alabama, do hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the owner of the property, and that the same is in accordance with the provisions of the laws of the State of Alabama.

Dated this 18th day of July, 2018.

Surveyor's Signature: [Signature]

Surveyor's Name: David E. Berry

DIRECTOR OF COMMUNITY DEVELOPMENT:

I, the undersigned, being a duly qualified and licensed Surveyor in the State of Alabama, do hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the owner of the property, and that the same is in accordance with the provisions of the laws of the State of Alabama.

Dated this 18th day of July, 2018.

Surveyor's Signature: [Signature]

Surveyor's Name: David E. Berry

CERTIFICATE OF OWNERSHIP AND OBLIGATION:

I, the undersigned, being a duly qualified and licensed Surveyor in the State of Alabama, do hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the owner of the property, and that the same is in accordance with the provisions of the laws of the State of Alabama.

Dated this 18th day of July, 2018.

Surveyor's Signature: [Signature]

Surveyor's Name: David E. Berry

ACKNOWLEDGEMENT OF NOTARY PUBLIC:

I, the undersigned, being a duly qualified and licensed Surveyor in the State of Alabama, do hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the owner of the property, and that the same is in accordance with the provisions of the laws of the State of Alabama.

Dated this 18th day of July, 2018.

Surveyor's Signature: [Signature]

Surveyor's Name: David E. Berry

MORTGAGEE'S ACCEPTANCE:

I, the undersigned, being a duly qualified and licensed Surveyor in the State of Alabama, do hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the owner of the property, and that the same is in accordance with the provisions of the laws of the State of Alabama.

Dated this 18th day of July, 2018.

Surveyor's Signature: [Signature]

Surveyor's Name: David E. Berry

CERTIFICATION BY NOTARY PUBLIC:

I, the undersigned, being a duly qualified and licensed Surveyor in the State of Alabama, do hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the owner of the property, and that the same is in accordance with the provisions of the laws of the State of Alabama.

Dated this 18th day of July, 2018.

Surveyor's Signature: [Signature]

Surveyor's Name: David E. Berry

June 13, 2018

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

RE: Winged Foot Phases 2A & 2B

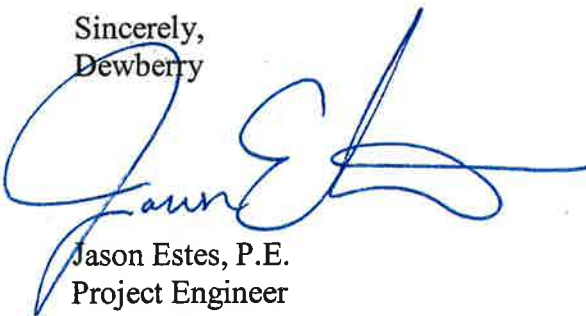
Dear Mrs. Jones:

I, Jason Estes, a professional engineer registered in the State of Alabama, Registration Number 22714, do hereby certify that the streets for Winged Foot Phases 2A & 2B have been constructed under my supervision in accordance with the approved construction plans.

I further certify I have checked all test reports and that all construction materials have been installed in accordance with the typical sections, profiles, and plan details and meet minimum requirements as set out in the State of Alabama Highway Department's Standard Specifications for Highway Construction, latest edition and current revisions.

Therefore, I hereby request that the City of Daphne accept the streets for Winged Foot Phases 2A & 2B subdivision.

Sincerely,
Dewberry



Jason Estes, P.E.
Project Engineer



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

SUBDIVISION NAME: WINGED FOOT PHASE 2B

LOCATION: COUNTY ROAD 64

THIS ACCEPTANCE OF ROADS AND RIGHTS-OF-WAY is made this 12th day of JULY, 2018 by Winged Foot Development 2016, LLC, hereinafter called the Subdivider, owner of certain property located in Baldwin County, Alabama known as Winged Foot Phase 2B Subdivision to be recorded in the office of the Judge of Probate of Baldwin County, Alabama; and,

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

WHEREAS, the Subdivider does hereby agree to provide a Maintenance Bond, as outlined in Article XVII, entitled Subdivision Review, in an amount equal to ten (10) percent of the total street and drainage improvements (\$44,640.76) in the subdivision for a period of two (2) years after the date of their acceptance and dedication of the same to the City. Said bond shall be required by the City as a condition to the acceptance and dedication of any new roads or rights-of-way within the City; and,

WHEREAS, the Project Engineer acting on behalf of the Subdivider does hereby certify that all roads and rights-of-ways are complete and are in compliance with the minimum standards as outlined for construction in the City of Daphne Land Use and Development Ordinance, Article XVII, entitled, Subdivision Review, and Article XI, Minimum Requirements and Required Improvements.

WHEREAS, the City of Daphne, Alabama, acting by and through the recommendation of the City of Daphne Planning Commission, has agreed to accept the responsibility for the maintenance of the roads and rights-of-way of said subdivision subject to a two (2) year maintenance period as described above; and,

WHEREAS, the City of Daphne has agreed to accept the property within the confines of the road right-of-way which does not include drainage or utility easements or any other improvements outside of these confines.

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

NOW, THEREFORE, in consideration of the premises, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Subdivider does hereby dedicate the roads and rights-of-way in said subdivision to the City of Daphne, a municipal corporation, as per the recommendation of the City of Daphne Planning Commission at their regular meeting of July 26, 2018. That said subdivision according the plat recorded in the Judge of Probate, Baldwin County, Alabama and said streets being named Harmon Street, Gilmore Way, Mackie Lane

are hereby accepted for maintenance by the City of Daphne, Alabama as a city street.

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

Respectfully submitted,

 Winged Foot Development 2016 LLC
Name of Individual or Corporation

By:  GEOFF LANE

Its: MANAGER AND SOLE MEMBER

STATE OF ALABAMA)
COUNTY OF BALDWIN)

I, the undersigned Notary Public in and for said State and County, hereby certify that whose name as GEOFF LANE of Winged Foot Development LLC, an Alabama corporation or as owner of _____ is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he as such officer or owner and with full authority, executed the same voluntarily on the day same bears date.

Given under my hand and official seal on this the 12 day of July, 2018.

 Anne B. Gardner (NOTARY SEAL)
NOTARY PUBLIC

My commission expires: _____

ANNE B GARDNER
Notary Public, Alabama State At Large
My Commission Expires 05/23/2022

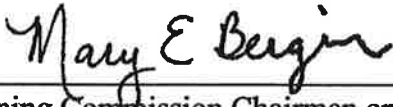
CITY OF DAPHNE
PETITION FOR ACCEPTANCE
OF ROAD(S) AND/OR RIGHTS-OF-WAY

Recommendation:



Jeremy Sasser
Public Works Director
City of Daphne

Approval:



Planning Commission Chairman or Authorized Representative
City of Daphne

**CITY OF DAPHNE, ALABAMA
ORDINANCE NO. 2018-27**

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

WHEREAS, the Planning Commission of the City of Daphne, Alabama at their regular meeting held on May 24, 2018, favorably recommended to the City Council of the City of Daphne certain amendments to the Daphne Land Use and Development Ordinance / Zoning District Map approved and adopted by Ordinance No. 2011-54, referenced in Appendix H “Exhibit A” thereof, and amended by Ordinance No. 2016-69, Ordinance No. 2017-49 and Ordinance No. 2018-02; and

WHEREAS, said amendments are necessary due to various rezoning and annexation requests which have been approved since the adoption of Ordinance No. 2018-02; and

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

WHEREAS, a public hearing regarding the proposed Zoning District Map amendments was held by the City Council on July 16, 2018; and

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

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

SECTION I: ZONING DISTRICT MAP

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

SECTION II: REPEALER

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

SECTION III: EFFECTIVE DATE

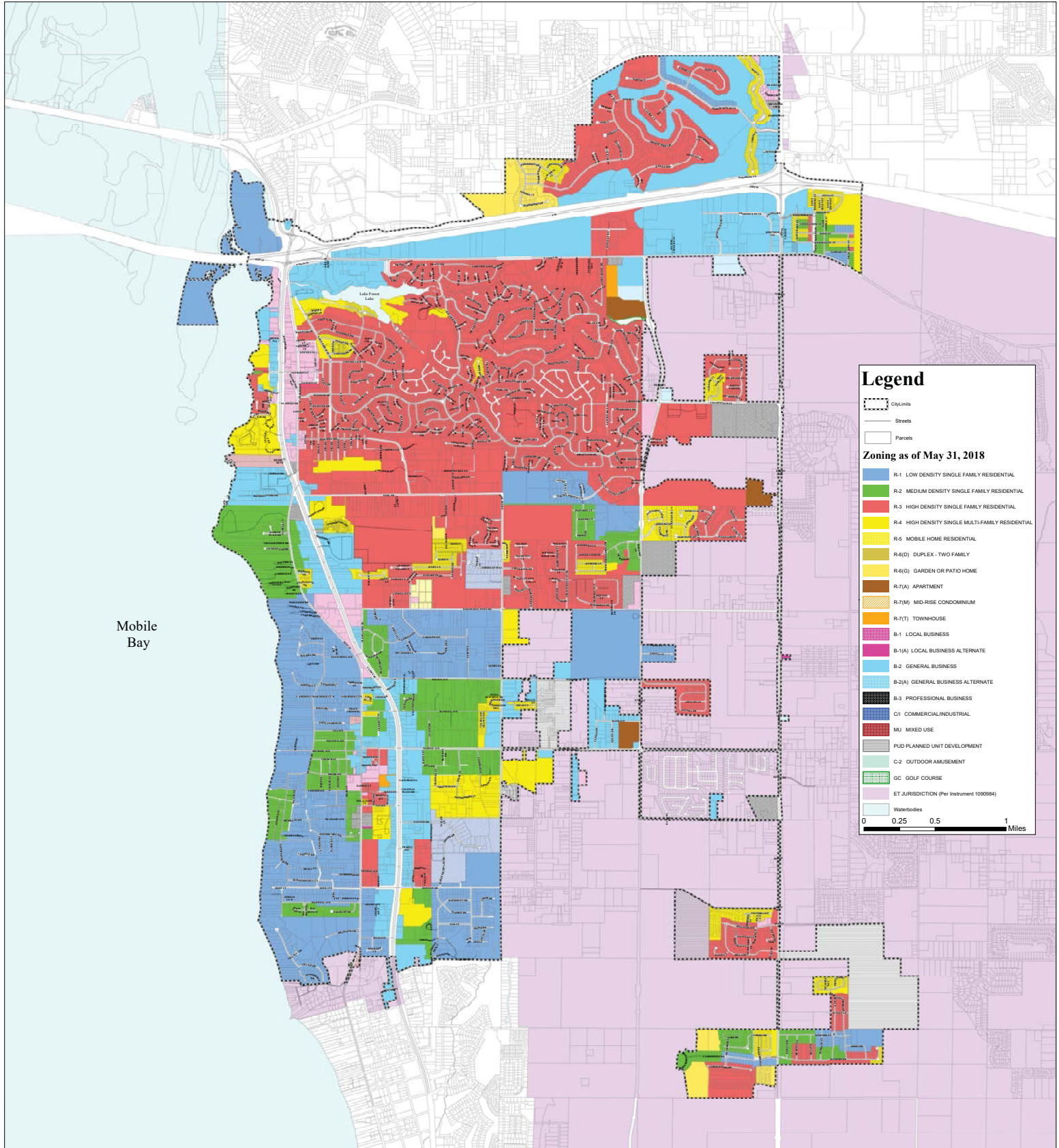
This Ordinance shall take effect and be in force from and after the date of its approval by the City of Daphne City Council and publication as required by law.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA ON THIS 6TH DAY OF AUGUST, 2018.

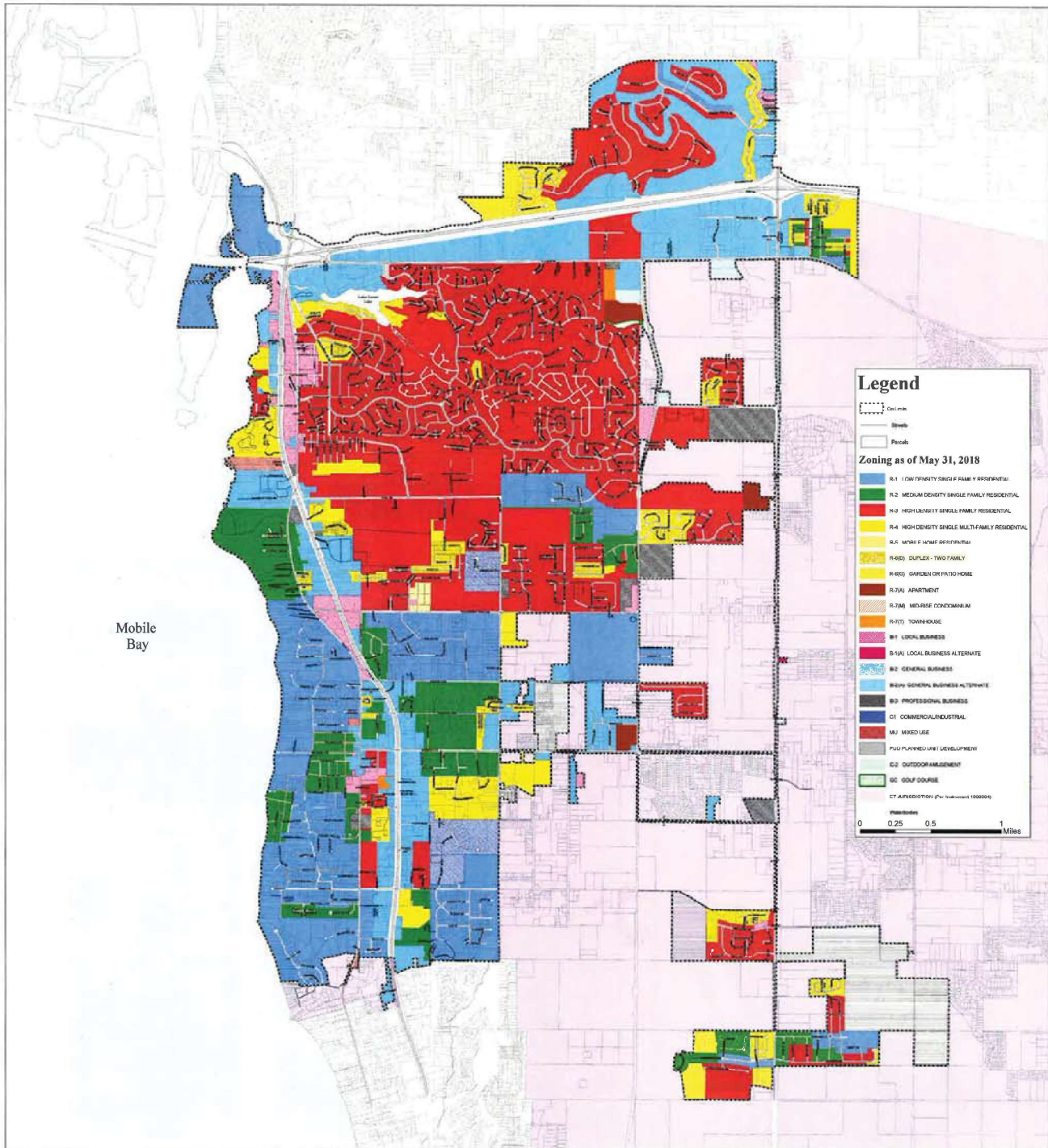
Dane Haygood, Mayor

ATTEST:

Candace G. Antinarella, City Clerk



Maps are for graphical purposes only. They do not represent a legal survey. The information contained in the data distributed by the City of Daphne is derived from a variety of public and private sources considered to be dependable, but the accuracy, completeness and currency thereof are not guaranteed. The City of Daphne makes no warranties, expressed or implied as to the accuracy, completeness, currency, reliability, or suitability for any particular purpose of the information or data contained in or generated from the City Geographic Information System. Additionally, the City of Daphne or any agent, servant, or employee thereof assume no liability associated with the use of the data, and assume no responsibility to maintain it in any manner or form. Any questions regarding zoning or any data should be directed to the City of Daphne Department of Community Development at 251-621-3184.



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**CITY OF DAPHNE, ALABAMA
ORDINANCE # 2018-29**

**Appropriation: Police Equipment for adding three (3) additional School Resource Officers
to the City of Daphne Schools**

WHEREAS, Ordinance 2017-77 approved and adopted the Fiscal Year 2018 Budget on October 2, 2017; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2018 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2018 budget; and

WHEREAS, the City of Daphne recognizes the importance of local schools and the safety of the school personnel and students attending these local schools; and

WHEREAS, due to recent occurrences additional school resource officers are needed to assist with increasing safety at local schools; and

WHEREAS, the Baldwin County School Board will provide a \$50,000 stipend for each SRO officer the City of Daphne places in local schools; and

WHEREAS, additional monies in the amount of \$202,343 needs to be appropriated to provide vehicles, equipment, and training to hire and place three new School Resource Officers at local schools.

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

- 1). Three (3) additional School Resource Officer positions are authorized for FY2018.
- 2). Funds in the amount of **\$202,343 from the General Fund** are appropriated and made a part of the Fiscal Year 2018 budget for the additional cost for the vehicles, equipment, and training for three new School Resource Officers.
- 3). the Mayor is hereby authorized to execute any and all documents required in order for the City of Daphne to participate with Baldwin County Board of Education in placing three additional School Resource Officers in Daphne Schools.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA,
THIS _____ DAY OF _____, 2018.**

Dane Haygood, Mayor

ATTEST:

Candace G. Antinarella, City Clerk