CITY OF DAPHNE
1705 MAIN STREET, DAPHNE, AL
CITY COUNCIL BUSINESS MEETING AGENDA
July 15, 2019
6:30 P.M.

1. CALL TO ORDER

2. ROLL CALL
INVOCATION: Father Tuck Bowen, St. Stephen's Charismatic Episcopal Church
PLEDGE OF ALLEGIANCE

PUBLIC HEARING: Proposed Amendment to the Olde Towne Daphne District Map

PUBLIC HEARING: Zoning Amendment for Fortuna Investments LLC on Belrose North

PUBLIC HEARING: Zoning Amendment for Fortuna Investments LLC on Belrose South

3. APPROVE MINUTES: Council Meeting – July 1, 2019

4. REPORTS OF STANDING COMMITTEES

A. FINANCE COMMITTEE – Conaway

B. BUILDINGS & PROPERTY COMMITTEE – Goodlin
Review the June 2019 Building Reports.

C. PUBLIC SAFETY COMMITTEE – Scott
Review the minutes from the June 10th meeting.

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE – Phillips

E. PUBLIC WORKS COMMITTEE – Coleman

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS

A. BOARD OF ZONING ADJUSTMENTS – Adrienne Jones

B. DOWNTOWN REDEVELOPMENT AUTHORITY – Conaway

C. INDUSTRIAL DEVELOPMENT BOARD - Rudicell

D. LIBRARY BOARD –Phillips

E. PLANNING COMMISSION – Scott
Review the minutes from the May 23rd meeting and the report from the June 27th meeting.

MOTION to request the Planning Commission, by right, any zoned B-1, B-2 and B-3 property in the Olde Towne Daphne and Village Point Overlay Districts, to allow a residential component upstairs/vertical.

F. RECREATION BOARD – LeJeune

G. UTILITY BOARD – LeJeune
Review the minutes form the May 2019 meeting.

6. MAYOR'S REPORT

7. CITY ATTORNEY REPORT

8. DEPARTMENT HEAD REPORTS

9. CITY CLERK'S REPORT

MOTION to approve the Daphne High School Homecoming Parade and Pep Rally on September 26, 2019 at 6:00pm.

MOTION to approve the publication and set a public hearing on August 19, 2019 for the proposed revision to the Official City of Daphne Zoning Map.

10. PUBLIC PARTICIPATION

11. RESOLUTIONS & ORDINANCES

A. RESOLUTIONS:

2019-48 – Declaring Certain Property Surplus and Authorizing the Mayor to Dispose of Such Property – 1993 Emergency Protector Truck

2019-49 – Revisions to City of Daphne Street Map

B. 2ND READ ORDINANCES:

2019-30 – Additional Appropriation: Corte Road/Austin Road Change Improvements Phase 1 and 2 - $83,938

2019-31 – Additional Appropriation: Excess Engineering Fees for 120 Day Contract Extension – Goodwyn, Mills & Caywood, Inc. - $6,285

2019-32 – Additional Appropriation: Engineering Services for Bayfront Streetscape and Parking - $10,000

2019-33 – Fire Code Ordinance

C. 1ST READ ORDINANCES:

2019-34 – Amendments to the Olde Towne Daphne District Map

2019-35 – Zoning Amendment – Fortuna Investments, LLC – Belrose North

2019-36 – Zoning Amendment – Fortuna Investments, LLC – Belrose South

12. COUNCIL COMMENTS

13. ADJOURN

MEMORANDUM

To: Office of the City Clerk

From: Adrienne D. Jones,
Community Development Director

Subject: Proposed Amendment to the Olde Towne Daphne District Map

Date: May 28, 2019

At the May 23, 2019, regular meeting of the City of Daphne Planning Commission, eight members were present. The motion carried unanimously to set forth a ***favorable recommendation*** of the above-mentioned amendment to the Olde Towne Daphne District Map.

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

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

Thank you,
ADJ/jv

cc: file

attachment(s)

1. Olde Towne Daphne District Map Planning Report (Copy Attached)

FILE
05/28/19
9:30am

OLDE TOWNE DAPHNE DISTRICT
PROPOSED MAP AMENDMENT

APPLICANT:
Fortuna Investments, LLC

APPLICATION:
Amendment to the Land Use & Development Ordinance, Official Olde Towne District Map

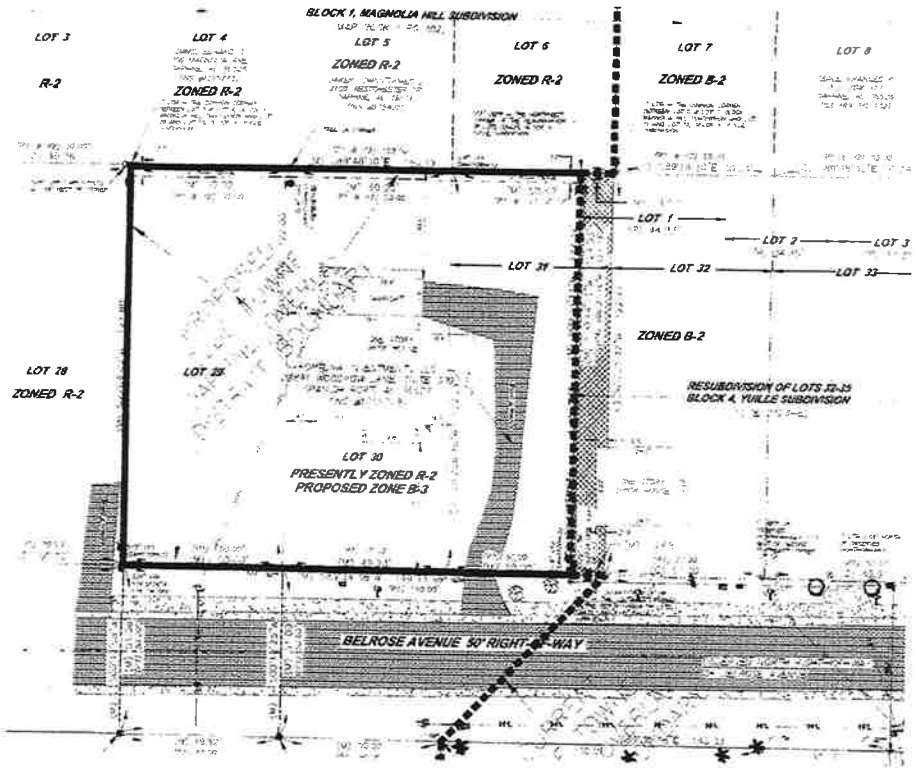
ZONING:
R-2, Medium Density Single Family Residential

LOCATION:
West of the intersection of Main Street and Belrose Avenue

APPLICABLE REGULATION:

3-6 OFFICIAL OLDE TOWNE DISTRICT MAP The Olde Towne District Map, Exhibit B, the latest edition, is hereby adopted and made a part of this Ordinance. This map shall be signed by the Mayor and attested by the City Clerk. It shall be filed in the office of the Zoning Administrator and/or Director of Community Development and the City Clerk to show thereon the date of adoption of said Ordinance.

RECOMMENDATION:
Approval



Proposed amendment to the Olde Towne Daphne District

Historical Background: *The Olde Towne Daphne District was established by Ordinance 2002-27 and amended by Ordinance 2003-05, 2005-12, 2008-04, 2009-66, 2016-08. In 2009, 3 lots of Block 3, Yuille Subdivision, Belrose Wharf (Lots 31, 32, 33) were incorporated into the district.*

Current Proposal: *The current petitioner proposes to amend the Olde Towne Daphne District Map to include 3 lots of Block 4, Yuille Subdivision, Belrose Wharf (Lots 29, 30, 31). There was a residence on site but it was recently demolished. The subject property is zoned R-2. The property to the southeast across Belrose Avenue, was annexed into District in 2009 and the rezoned from R-2 to B-1 (Local Business).*

The applicant proposes to rezone the subject property to B-3, Professional Office. Inclusion in the Olde Towne District is advantageous to the applicant because it allows reduced parking, landscaping, setback requirements, etc.

Like zoning amendments, annexation petitions and preliminary plat approvals, an amendment to the Olde Towne Daphne map must be approved by an affirmative vote of six (6) members.

Dewberry

Dewberry Engineers Inc
25353 Friendship Road
Daphne, AL 36526

251.990.9950
251.990.9910 fax
www.dewberry.com

April 23, 2019

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

RE: OLDE TOWNE DAPHNE OVERLAY DISTRICT
Boundary Revision Request

Dear Mrs. Jones:

The Olde Towne Daphne Overlay District borders the east line of property owned by Fortuna Investments, LLC. The property is located on the north side of Belrose Avenue approximately 250 feet west of Main Street. The legal description of the property is attached.

On behalf of the property owner, we are requesting the City of Daphne to extend the limits of the Olde Towne Daphne Overlay District to include the properties described in the attached legal description and as shown on the attached plat.

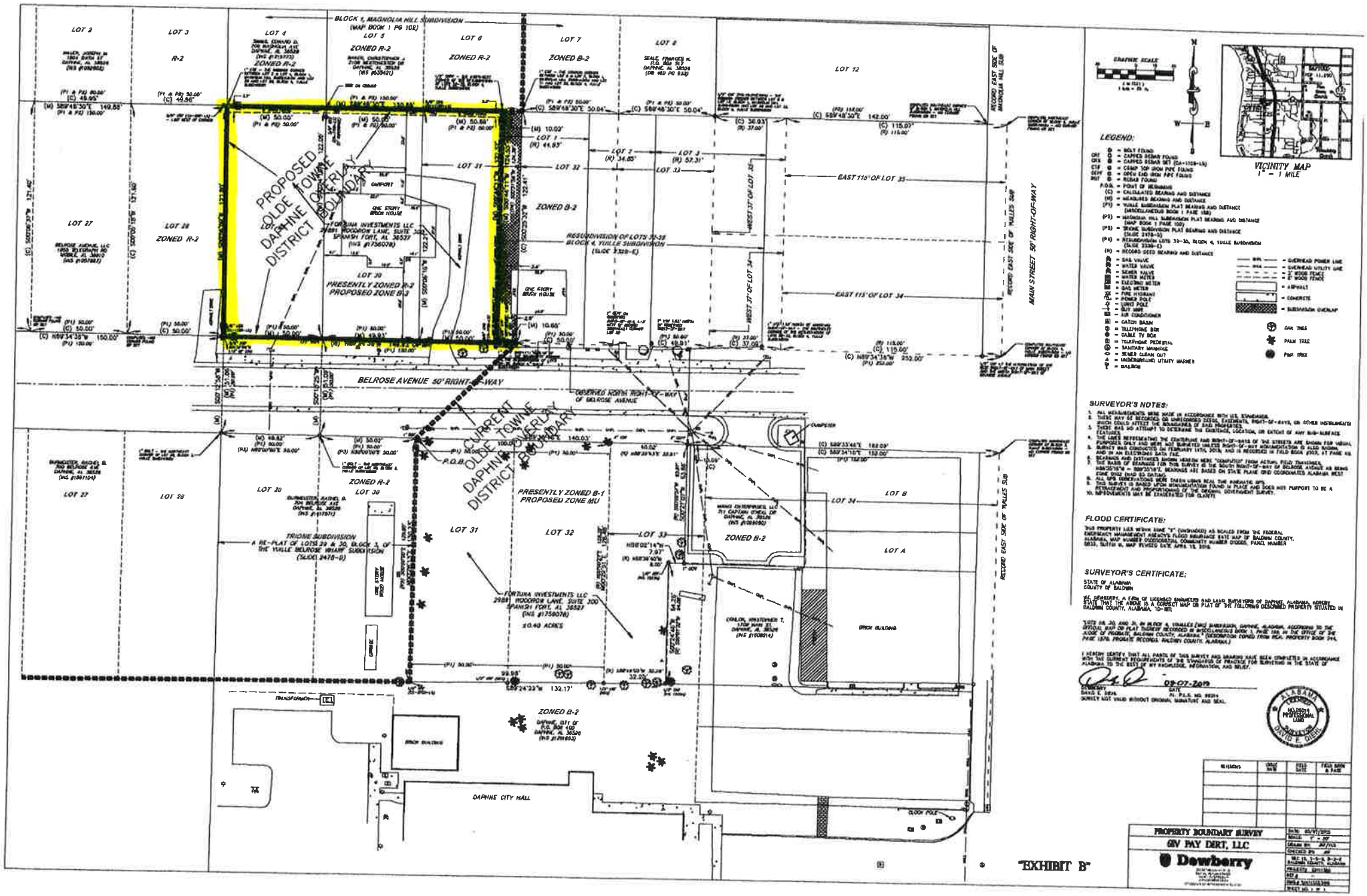
The property owner is also requesting, under separate cover, to rezone this property from R-2 to B-3 in order to build a professional office at this location. We believe the plans for this site are in keeping with the Olde Towne Daphne Overlay District and should be included as such.

We request to be placed on the agenda of the next regularly scheduled Planning Commission meeting for the consideration of this matter. We look forward to meeting with you prior to that meeting date to discuss any comments the City may have.

Sincerely,
Dewberry

Steven Pumphrey
Senior Planner

Cc: Belrose Overlay
File


BLOCK 1, MAGNOLIA HILL SUBDIVISION
(MAP BOOK 1 PG 102)
PROPOSED OLDE TOWNE DAPHNE OVERLAY DISTRICT BOUNDARY
CURRENT OLDE TOWNE DAPHNE OVERLAY DISTRICT BOUNDARY
BELROSE AVENUE 50' RIGHT-OF-WAY
OBSERVED NORTH RIGHT-OF-WAY OF BELROSE AVENUE
MAIN STREET 50' RIGHT-OF-WAY
RECORD EAST SIDE OF MAGNOLIA HILL SUB
RECORD EAST SIDE OF TUILLE'S SUB
TRIONE SUBDIVISION
A RE-PLAT OF LOTS 29 & 30, BLOCK 1, OF THE TUILLE BELROSE MIAMI SUBDIVISION
(SLIDE 2478-D)
RESUBDIVISION OF LOTS 29-30 BLOCK 4, TUILLE SUBDIVISION
(SLIDE 2328-C)
FORTUNA INVESTMENTS LLC
2988 WOODROW LANE, SUITE 300
SPANISH FORT, AL 36527
(INS #1756078)
±0.40 ACRES
PRESENTLY ZONED R-2
PROPOSED ZONE B-3
PRESENTLY ZONED B-1
PROPOSED ZONE MU
ZONED R-2
ZONED B-2
ZONED B-3
EAST 116' OF LOT 35
EAST 115' OF LOT 34
WEST 37' OF LOT 35
WEST 37' OF LOT 34
DAPHNE CITY HALL
BRICK BUILDING
ONE STORY BRICK HOUSE
ONE STORY BRICH HOUSE
GARAGE
DUMPSTER
CARPORT
FINISH GROUND
P.O.B.
P.O.C.
LOT 27
LOT 28
LOT 29
LOT 30
LOT 31
LOT 32
LOT 33
LOT 34
LOT A
LOT B
LOT 12
GRAPHIC SCALE
VICINITY MAP
1" = 1 MILE
LEGEND:
SURVEYOR'S NOTES:
FLOOD CERTIFICATE:
SURVEYOR'S CERTIFICATE:
PROPERTY BOUNDARY SURVEY
GV PAY DIRT, LLC
Dewberry
"EXHIBIT B"

Olde Towne Daphne District

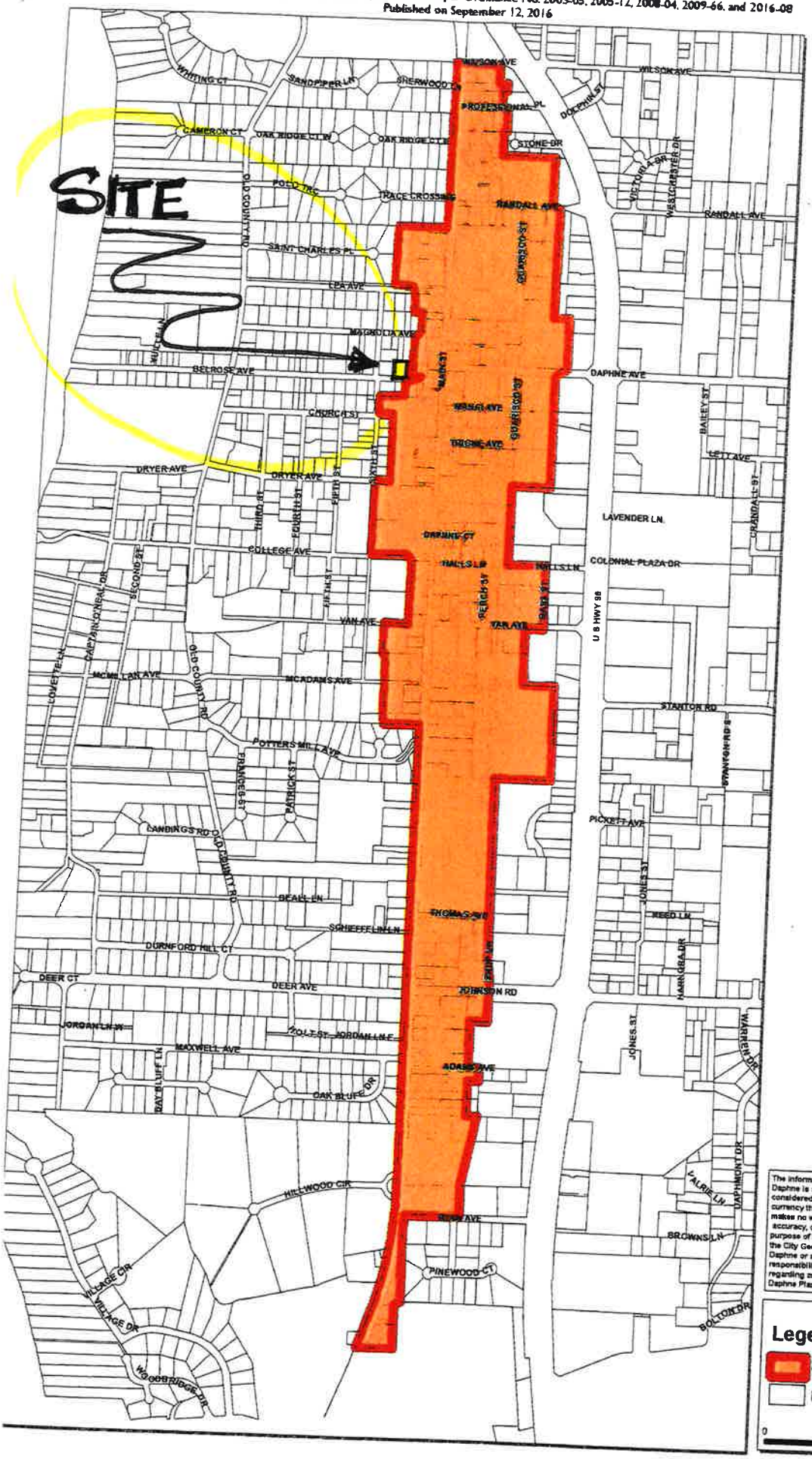
Appendix 1: Olde Towne Daphne District Map Revisions as per Ordinance No. 2003-05, 2005-12, 2008-04, 2009-66, and 2016-08
Published on September 12, 2016

Daphne
ALABAMA
The Jubilee City

SITE

Proposed Boundary Change

5.19



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 responsibility to maintain it in any manner or form. Any questions regarding zoning or any data should be directed to the City of Daphne Planning Department. Tel. #251-621-3184

Legend

- Olde Towne Daphne District
- Parcels

N

0 0.125 0.25 0.5 Miles

To: Office of the City Clerk

MEMORANDUM

From: Adrienne D. Jones,
Director of Community Development

Subject: Fortuna Investments, L.L.C. (Belrose North) Zoning Amendment

Date: May 28, 2019

PRESENT ZONING: R-2, Medium Density Single Family Residential

PROPOSED REZONING: B-3, Professional Business District

LOCATION: Northwest of Main Street and Belrose Avenue

RECOMMENDATION: At the Thursday, May 23, 2019, regular meeting of the Daphne Planning Commission, eight 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 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

FILE
05/28/19
9:30 am

APPLICATION FOR REZONING OR PRE-ZONING

Office use only: Rev. 072816	Date Submitted April 23, 2019
Application Number: ZA- 19-02 or PZA-	Planning Commission Public Hearing Date: May 23, 2019

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): North side of Belrose Ave. 250' west of Main Street	PPIN#(s): 28904
Gross Site Area (acreage): 0.39 ac.	Requested Zoning or Pre-Zoning: B-3
Current Zoning Designation(s): R-2	Amended Request: Initials: Date:
Current Land Use: Residential	Anticipated Land Use: Professional office

Provide Legal Description (if necessary attach separate page entitled "Legal Description for [Name of Applicant]":
Lots 29-31 of Block 4 of Yuille Subdivision, Belrose Wharf, as recorded on MB 1, Page 169

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.* Nathan Cox	
Name of Current Owner: Fortuna Investments, LLC	
Mailing Address: 29891 Woodrow Ln, Ste300 Spanish Ft, AL 36527	**Phone/Fax:** 251-625-1198 **E-mail:** wlowery@68ventures.com
Name of Authorized Agent: Dewberry	
Mailing Address: 25353 Friendship Rd, Daphne, AL 36526	**Phone/Fax:** 251-929-9797 **E-mail:** mpumphrey@gmail.com
Name of Developer*: Fortuna Investments, LLC	**Phone/Fax:** 251-625-1198 **E-mail:** wlowery@68ventures.com
Other:	**Phone/Fax:** **E-mail:**

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

Applicant's Signature:	Date 4-19-19
Agent's Signature:	Date 4-19-19

Fortuna Investments, L.L.C.

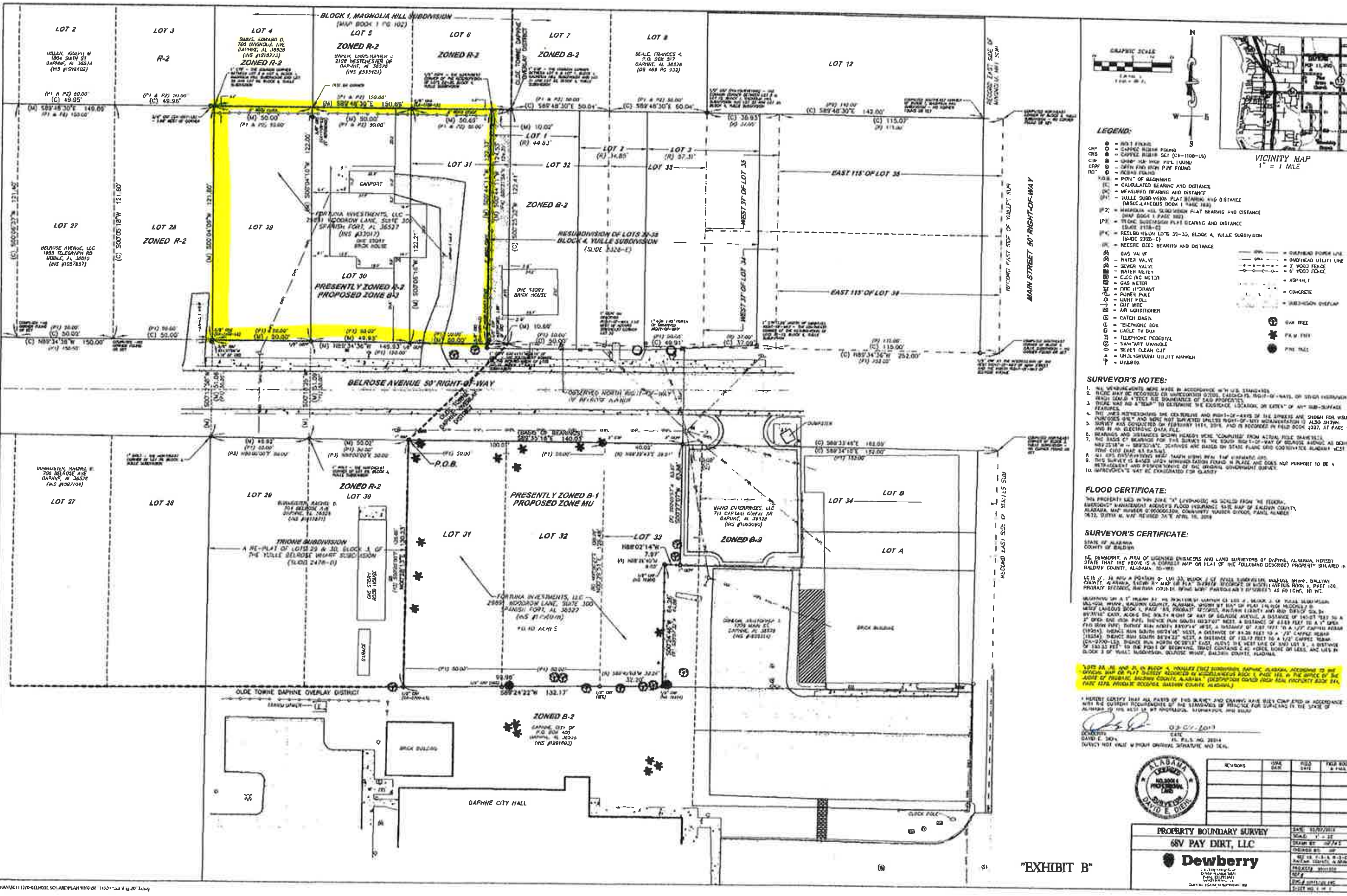
(Belrose North)

Zoning Amendment

Legal Description

Exhibit "A"

LOTS 29, 30, AND 31, BLOCK 4, OF YUILLE SUBDIVISION, BELROSE WHARF, ACCORDING TO THE OFFICIAL MAP OR PLAT THEREOF RECORDED IN MISCELLANEOUS BOOK 1, PAGE 169, IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA. TRACT CONTAINS 0.39 ACRES, MORE OR LESS.


BLOCK 1, MAGNOLIA HILL SUBDIVISION
LOT 2
LOT 3
LOT 4
LOT 5
LOT 6
LOT 7
LOT 8
LOT 12
ZONED R-2
ZONED B-2
LOT 27
LOT 28
LOT 29
LOT 30
LOT 31
LOT 32
LOT 33
CARPORT
FORTUNA INVESTMENTS, LLC
PRESENTLY ZONED R-2
PROPOSED ZONE B-3
ONE STORY BRICK HOUSE
RESUBDIVISION OF LOTS 32-35 BLOCK 4, YUILLE SUBDIVISION
EAST 115' OF LOT 35
EAST 115' OF LOT 34
WEST 37' OF LOT 35
WEST 37' OF LOT 34
MAIN STREET 50' RIGHT-OF-WAY
BELROSE AVENUE 50' RIGHT-OF-WAY
P.O.B.
PRESENTLY ZONED B-1
PROPOSED ZONE MU
TRIONE SUBDIVISION
GARAGE
LOT 34
LOT B
LOT A
BRICK BUILDING
OLDE TOWNE DAPHNE OVERLAY DISTRICT
DAPHNE CITY HALL
LEGEND:
VICINITY MAP
1" = 1 MILE
SURVEYOR'S NOTES:
FLOOD CERTIFICATE:
SURVEYOR'S CERTIFICATE:
PROPERTY BOUNDARY SURVEY
68V PAY DIRT, LLC
Dewberry
"EXHIBIT B"

ADJACENT PROPERTY OWNERS TO BELROSE NORTH

Parcel Number	Owner Name	Address	City	State	Zip
05-43-04-41-0-005-029.003	FORTUNA INVESTMENTS, LLC	29891 WOODROW LN STE300	SPANISH FORT	AL	36527
05-43-04-41-0-004-044.000	SIMMS, EDWARD D	706 MAGNOLIA AVE	DAPHNE	AL	36526
05-43-04-41-0-005-003.000	BELROSE AVENUE L L C	1855 TELEGRAPH ROAD	MOBILE	AL	36610
05-43-04-41-0-004-042.000	MILLER, JOSEPH MCDAVID ETAL MILLER, HARO	1804 SIXTH ST	DAPHNE	AL	36526
05-43-04-41-0-005-001.000	M2M INC	P O BOX 2547	DAPHNE	AL	36526
05-43-04-41-0-004-045.000	BAKER, CHRISTOPHER J	2108 WESTCHESTER DR	DAPHNE	AL	36526
05-43-04-41-0-005-028.000	BURMEISTER, STEVEN G ETUX BLYTHE W	700 BELROSE AVE	DAPHNE	AL	36526
05-43-04-41-0-005-029.000	BURMEISTER, RACHEL BETH ETAL STOCKS, JAM	704 BELROSE AVE	DAPHNE	AL	36526
05-43-04-41-0-004-046.000	SEALE, FRANCES K	P O BOX 517	DAPHNE	AL	36526

DANE HAYGOOD
MAYOR

ADRIENNE D. JONES
COMMUNITY DEVELOPMENT
DIRECTOR/ZONING ADMINISTRATOR

Daphne
COMMUNITY DEVELOPMENT
ALABAMA
The Jubilee City

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
ANGIE PHILLIPS
DISTRICT 7

May 10, 2019

NOTICE OF PUBLIC HEARING

A petition for REZONING will be considered by the Daphne Planning Commission for Fortuna Investments, L.L.C. containing 0.39 acres +/- located northwest of Main Street and Belrose Avenue zoned R-2, Medium Density Single Family Residential proposed to be rezoned B-3, Professional Business.

Said petition will also be considered by the Daphne City Council pursuant to Alabama Code 11-52-85. The application is available for review at City Hall in the Department of Community Development, 1705 Main Street, during regular business hours. An informal site preview meeting will be held on Wednesday, May 15, 2019 at 8:30 a.m. in the Council Chambers of City Hall. The public is invited to attend: limited participation may be allowed by the chairman.

The public hearing will be held by the Daphne Planning Commission on Thursday, May 23, 2019 at 5:00 p.m. in the Council Chambers of City Hall. You may submit your views in writing, in person, or by representation.

Sincerely,
Adrienne D. Jones
Director of Community Development

Fortuna Investments, L.L.C. Zoning Amendment (Belrose North)

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

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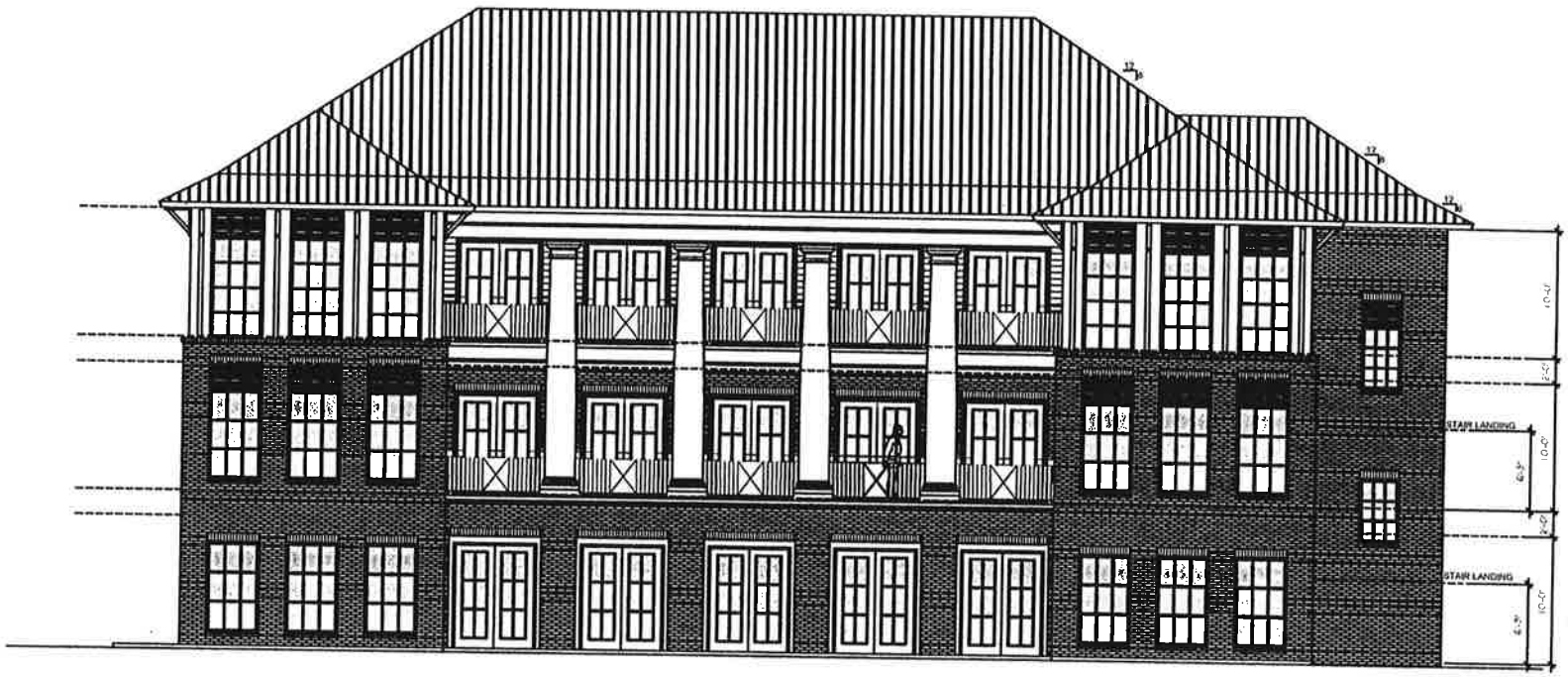


FRONT ELEVATION

McCollough Architecture, Inc

NOT FOR CONSTRUCTION

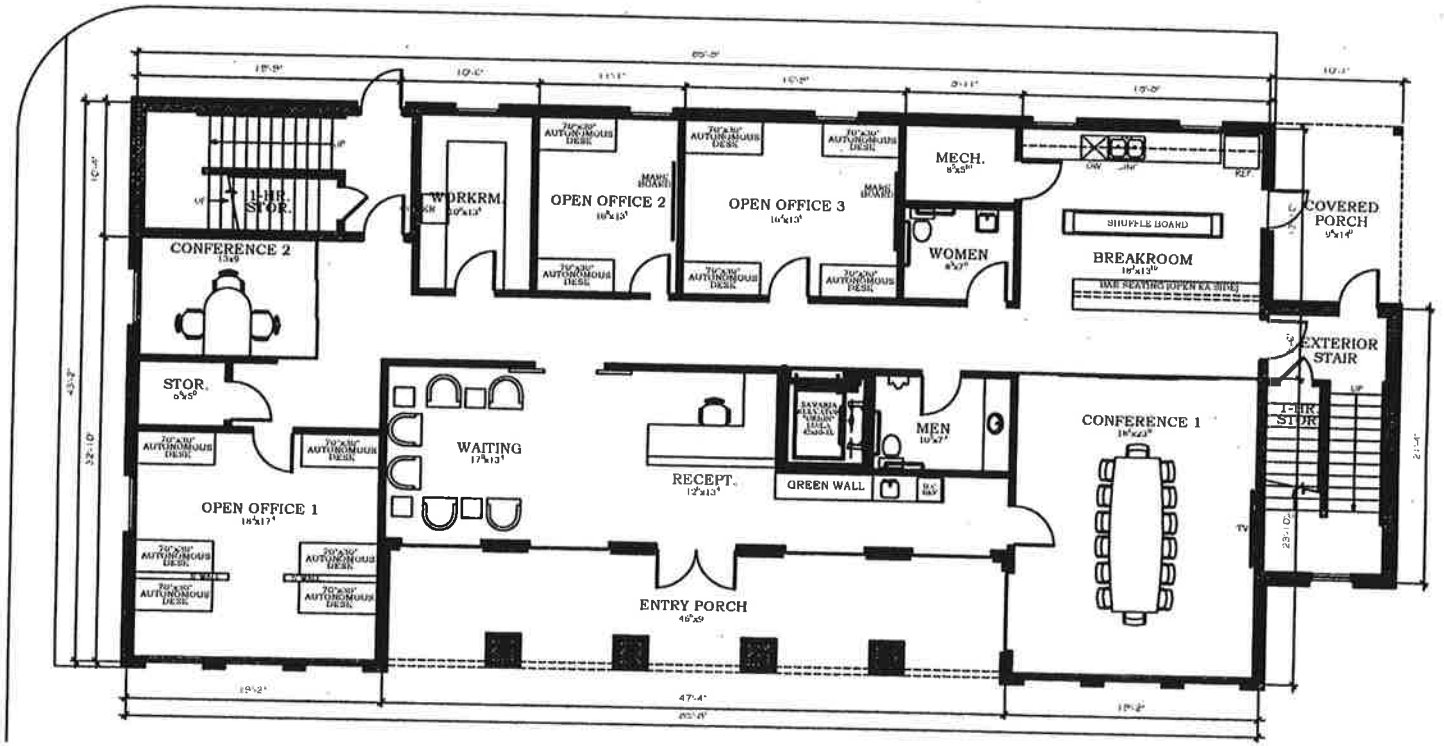
A NEW BUILDING
FOR
BELROSE COMMERCIAL
ORANGE BEACH
ALABAMA

JOB NO.:	
DRAWN:	JAO
CHECKED:	SBM
DATE:	2019.05.13
REVISION:	
SCALE:	1/4" = 1'-0"

SHEET NO.

A3.0

EXTERIOR ELEVATION



FIRST FLOOR PLAN

HEATED/COOL.:	3,364
OUTDOOR STAIR:	190
COV. PORCH:	578

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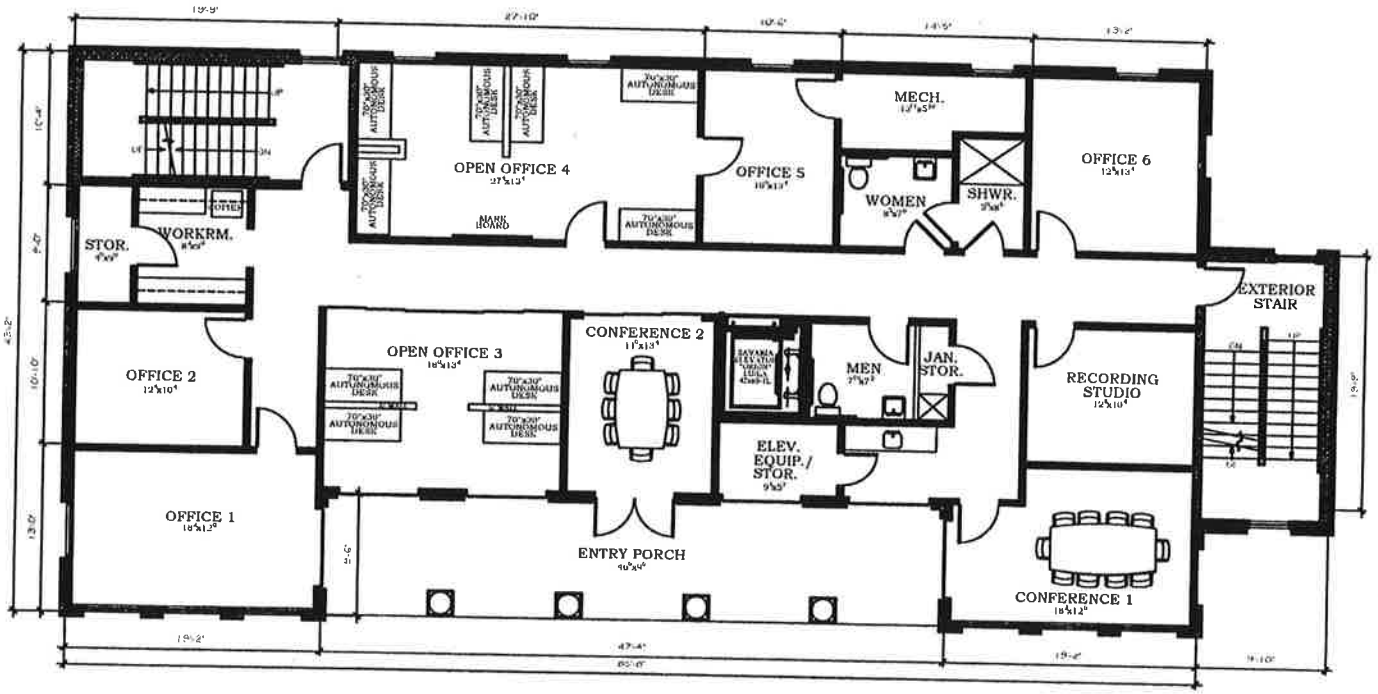
McCOLLOUGH ARCHITECTURE, INC

NOT FOR CONSTRUCTION

A NEW BUILDING FOR
BELROSE COMMERCIAL
ORANGE BEACH ALABAMA

JOB NO.:	
DRAWN	JAG
CHECKED:	SBM
DATE:	2019 05 10
REVISION:	
SCALE:	1/4" = 1'-0"
SHEET NO.:	A1.1
	FIRST FLOOR PLAN



SECOND FLOOR PLAN

HEATED/COOL.:	3,364
OUTDOOR STAIR:	190
COV. PORCH:	442

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McCOLLOUGH ARCHITECTURE, INC

NOT FOR CONSTRUCTION

A NEW BUILDING FOR
BELROSE COMMERCIAL
ORANGE BEACH ALABAMA

JOB NO.:	
DRAWN	JAG
CHECKED	SHM
DATE	2019 05 [illegible]
REVISION	
SCALE:	1/4" = 1'-0"

SHEET NO.
A1.2
SECOND FLOOR PLAN

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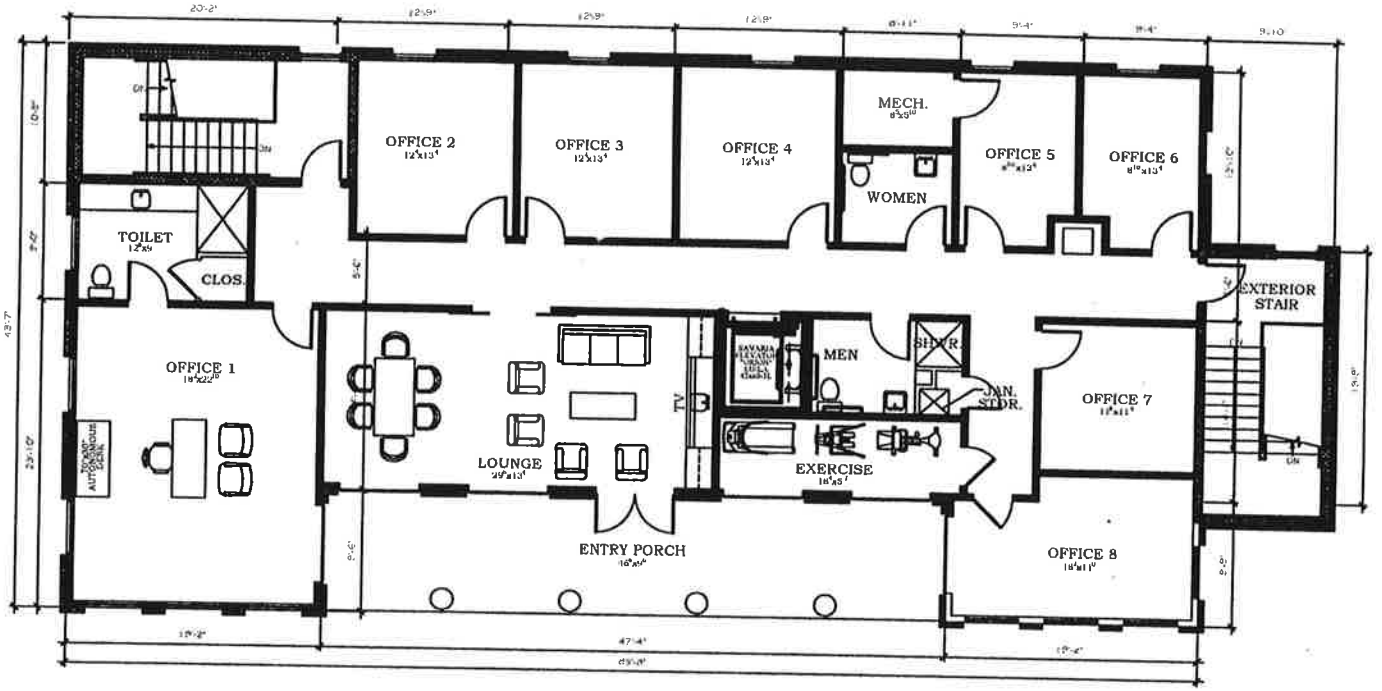


THIRD FLOOR PLAN

HEATED/COOL.:	3,364
OUTDOOR STAIR:	190
COV. PORCH:	442

McCollough Architecture Inc

NOT FOR CONSTRUCTION

A NEW BUILDING FOR BELROSE COMMERCIAL ORANGE BEACH ALABAMA

JOB NO.:	
DRAWN:	JAH
CHECKED:	SBM
DATE:	2019.05.10
REVISION	
SCALE:	1/4" = 1'-0"
SHEET NO.:	A1.3
	THIRD FLOOR PLAN

APPLICATION:
N.W. of the intersection of Main Street and Belrose Avenue

APPLICANT:
Fortuna Investments, LLC

AREA:
0.39 ac

LOTS:
1

PPIN:
28904

ZONING:
R-2, Medium Density Single Family Residential

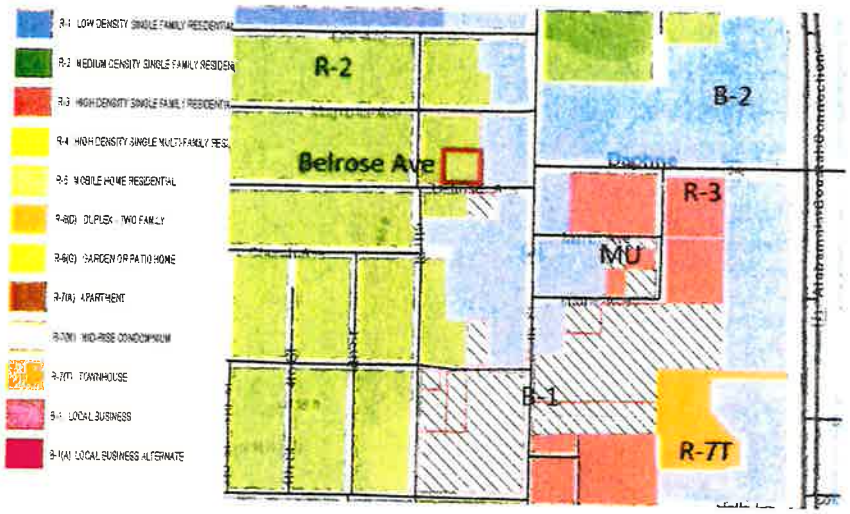
PROPOSED ZONING:
B-3, Professional Business

EXISTING PRECEDENT FOR PROPOSED ZONING:
Yes, Manci and Trione Avenue

COMPREHENSIVE PLAN:
Consistent, Compatible

RECOMMENDATION:
If the associated Olde Towne District boundary expansion is approved then this rezoning request can be approved

REZONING REQUEST
By
FORTUNA INVESTMENTS, LLC



REZONING REQUEST
FORTUNA INVESTMENTS, LLC

Existing Conditions: 0.39 acre+/- vacant parcel (house recently demolished)

Existing Zoning: R-2, Medium Density Single Family Residential

Proposed Zoning: B-3, Professional Business

Surrounding Zonings/Uses:

North - R-2, Medium Density Single Family Residential

South - R-2, Medium Density Single Family Residential and B-1, Local Business (subject to be rezoned to Mixed Use district)

West - R-2, Medium Density Single Family Residential/Residence

East - B-2, General Business/A professional office

Existing Utility Service Providers:

Water - Daphne Utilities

Sewer - Daphne Utilities

Gas - Daphne Utilities

Electric - Riviera Utilities

Affected City 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 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.

REZONING REQUEST
FORTUNA INVESTMENTS, LLC

The petitioner proposes to expand the Olde Towne Daphne District boundary to incorporate this 0.4 acre site and to rezone it from R-2 to B-3 in order to build an office complex. The existing neighborhood character is a mix of eateries, offices, and institutional facilities along with 3 remaining residences on Belrose Avenue, between Main Street and 6th Street.

The property is located between a commercial business and a residence. There are also existing houses behind this site and across the street. Where abutting any residential district, the minimum building setback is 25-ft within which shall be a 10-ft wide buffer.

14-17 SETBACKS

MINIMUM DISTRICT REQUIREMENTS[d]				
Zoning Districts	Front Yard	Rear Yard	Side Yard	Corner Lot Side Yard
R-4[c], Single Family R-6(D or G), Duplex or Garden or Patio Home	15	20	6	25
R-4[c], Multi-Family	15	20	a	25
B-1, Local Business B-1(a), Limited Local Business	10	b	b	25
B-2, General Business	10	b	b	25
B-3, Professional Business	10	b	b	25
MU, Mixed Use	15	e	b	25

(a) When dwelling unit faces side yard, the dwelling unit shall not be less than twenty-five (25) feet from the side lot line.

(b) None. If there is a rear alley, the setback shall be twenty-five (25) feet. When abutting a residential district it shall be not less than ten (10) feet. (See Buffer Requirements, Section 14-13, Landscape Standards).

(c) The Planning Commission shall no longer consider zoning or rezoning amendments to an R-4 zoning district. All existing R-4, High Density Single and Multi-Family Residential Districts shall be developed in accordance with the standards provided herein. For all new requests, the following districts shall be considered in lieu of R-4: R-6(G) for all garden/patio homes developments; R-6(D) for duplexes; R-7(A) for apartments; and R-7(T) for townhouses and R-7(M) for mid-rise condominiums.

(d) Minimum district requirements for any zoning district not specifically listed in this table shall meet the minimum standards as established in Requirement for lot area, width and setbacks in Section 13-4, Requirements For Lot Area, Width, Coverage, Density, Height and Other Factors and 13-6, Minimum Zoning District Setback Requirements, herein.

(e) None. If there is an alley, the setback shall be twenty-five (25) feet. When abutting a residential district it shall be not less than fifteen (15) feet. (See Buffer Requirements, Section 14-13, Landscape Standards).

Excerpt from Section 12-4, Establishment of B-3, Professional Business District:

This district is established to provide an opportunity for business establishments of a professional nature and is restricted to offices and businesses which provide specific corporate functions or professional services to the general public, but not the sale of goods or services at retail or wholesale.

Staff Recommendation

If the associated Olde Towne District boundary expansion is approved then this rezoning request can be approved.

Fortuna Investments, L.L.C.

(Belrose North)

Zoning Amendment

Legal Description

Exhibit “A”

LOTS 29, 30, AND 31, BLOCK 4, OF YUILLE SUBDIVISION, BELROSE WHARF, ACCORDING TO THE OFFICIAL MAP OR PLAT THEREOF RECORDED IN MISCELLANEOUS BOOK 1, PAGE 169, IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA. TRACT CONTAINS 0.39 ACRES, MORE OR LESS.

MEMORANDUM

To: Office of the City Clerk

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

Subject: Fortuna Investments, L.L.C. (Belrose South) Zoning Amendment

Date: May 28, 2019

PRESENT ZONING: B-3, Professional Business District

PROPOSED REZONING: MU, Mixed Use

LOCATION: Southwest of Main Street and Belrose Avenue

RECOMMENDATION: At the Thursday, May 23, 2019, regular meeting of the Daphne Planning Commission, eight 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 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

FILE
05/28/19
9:30am

APPLICATION FOR REZONING OR PRE-ZONING

Office use only: Rev. 072816	Date Submitted April 23, 2019
Application Number: ZA-19-01 or PZA-	Planning Commission Public Hearing Date: May 23, 2019

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

SITE DATA

Site Location (Address or General Proximity to Nearest Intersection): South side of Belrose Ave. 160' west of Main Street	PPIN#(s): 72052 & 77321
Gross Site Area (acreage): 0.40 ac.	Requested Zoning or Pre-Zoning: MU
Current Zoning Designation(s): B-1	Amended Request: Initials: Date:
Current Land Use: None	Anticipated Land Use: Live/work

Provide Legal Description (if necessary attach separate page entitled "Legal Description for [Name of Applicant]":
Lots 31-33 of Block 3 of Yuille Subdivision, Belrose Wharf, as recorded on MB1 Page 169

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.* Nathan Cox	
Name of Current Owner: Fortuna Investments, LLC	251-625-1198
Mailing Address: 29891 Woodrow Ln, Ste300 Spanish Ft, AL 36527	**Phone/Fax:** **E-mail:** wlowery@68ventures.com
Name of Authorized Agent: Dewberry	251-929-9797
Mailing Address: 25353 Friendship Rd, Daphne, AL 36526	**Phone/Fax:** **E-mail:** mpumphrey@gmail.com
Name of Developer*: Fortuna Investments, LLC	**Phone/Fax:** 251-625-1198 **E-mail:** wlowery@68ventures.com
Other:	**Phone/Fax:** **E-mail:**

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

Applicant's Signature: Steven Pumphrey	Date 4-19-19
Agent's Signature:	Date 4-19-19

Fortuna Investments, L.L.C.

(Belrose South)

Zoning Amendment

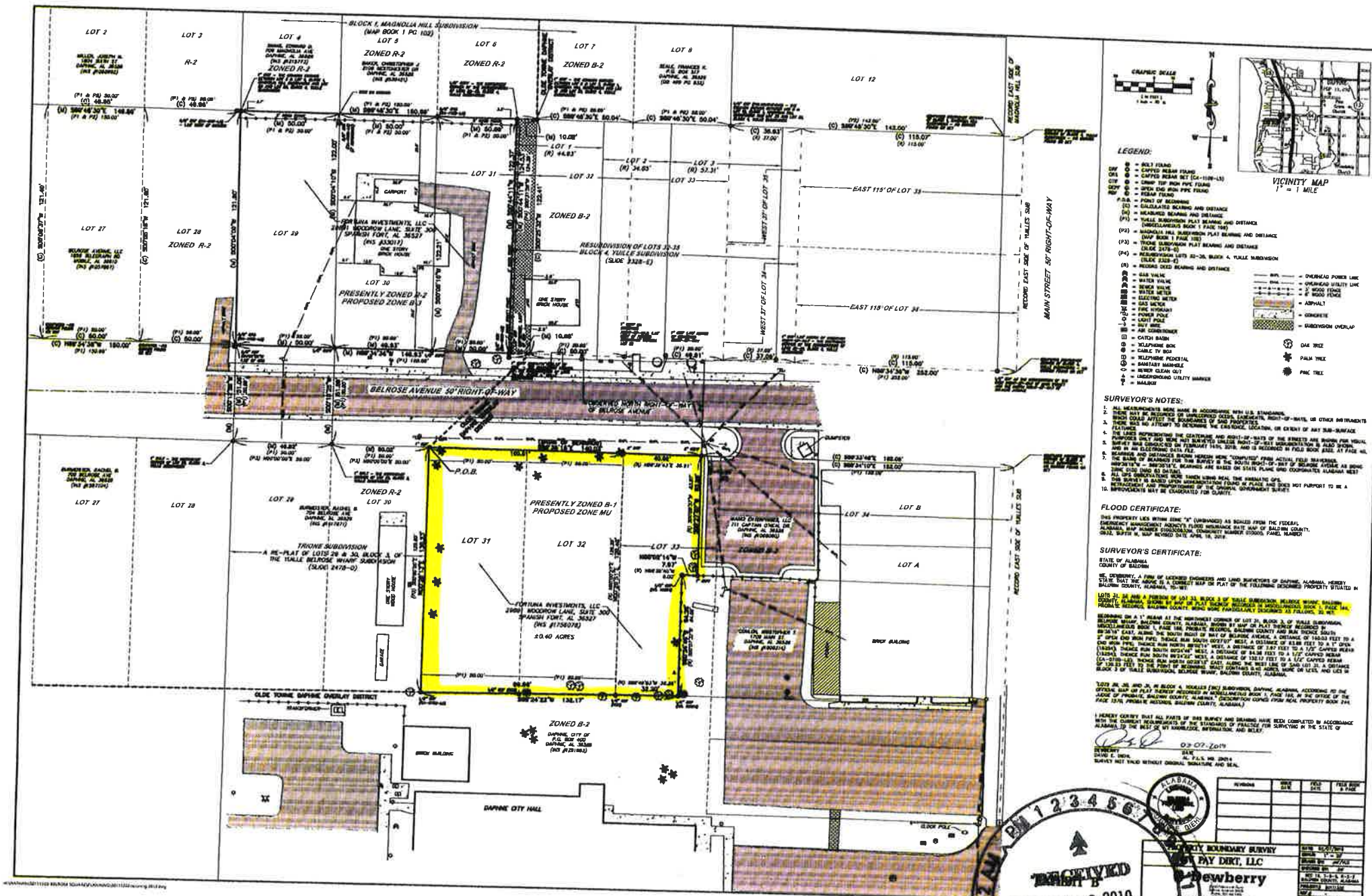
Legal Description

Exhibit "A"

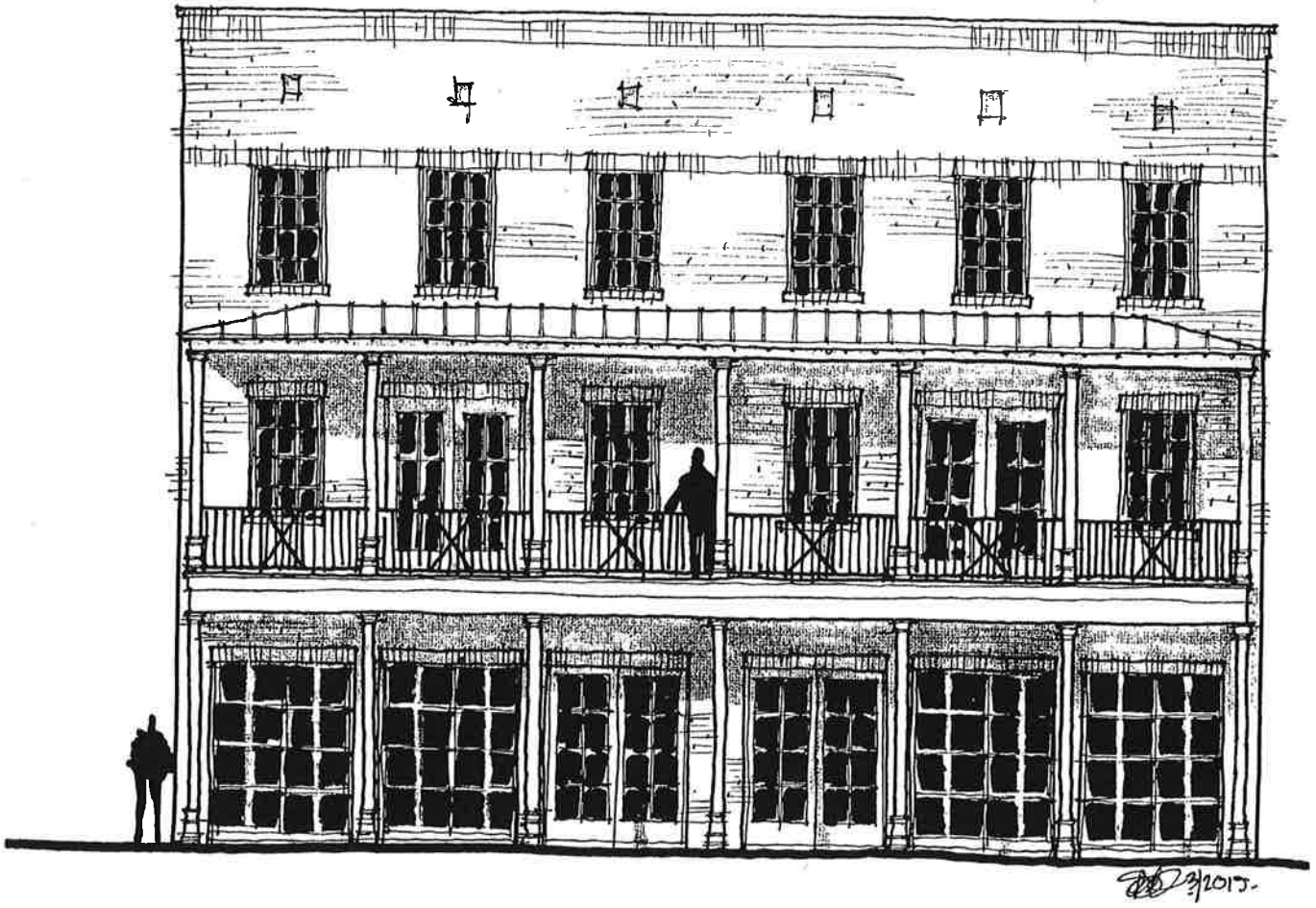
LOTS 31, 32 AND A PORTION OF LOT 33, BLOCK 3, OF YUILLE SUBDIVISION, BELROSE WHARF, SHOWN BY MAP OR PLAT THEREOF RECORDED IN MISCELLANEOUS BOOK 1, PAGE 169, PROBATE RECORDS, BALDWIN COUNTY. ALABAMA.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING ON A 1" REBAR AT THE NORTHWEST CORNER OF LOT 31, BLOCK 3, OF YUILLE SUBDIVISION, BELROSE WHARF, SHOWN BY MAP OR PLAT THEREOF RECORDED IN MISCELLANEOUS BOOK 1, PAGE 169, PROBATE RECORDS, BALDWIN COUNTY AND RUN THENCE SOUTH 89°35'16" EAST, ALONG THE SOUTH RIGHT OF WAY OF BELROSE AVENUE, A DISTANCE OF 140.03 FEET TO A 2" OPEN END IRON PIPE; THENCE RUN SOUTH 00°27'07" WEST, A DISTANCE OF 63.86 FEET TO A 1" OPEN END IRON PIPE; THENCE RUN NORTH 88°02'14" WEST, A DISTANCE OF 7.97 FEET TO A 1/2" CAPPED REBAR (19254); THENCE RUN SOUTH 00°24'46" WEST, A DISTANCE OF 64.26 FEET TO A 1/2" CAPPED REBAR (19254); THENCE RUN SOUTH 89°24'22" WEST, A DISTANCE OF 132.17 FEET TO A 1/2" CAPPED REBAR (CA-0700-LS); THENCE RUN NORTH 00°28'13" EAST, ALONG THE WEST LINE OF SAID LOT 31, A DISTANCE OF 130.23 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 0.40 ACRES, MORE OR LESS.


BLOCK 1, MAGNOLIA HILL SUBDIVISION
(MAP BOOK 1 PG 102)
LOT 2
LOT 3
LOT 4
LOT 5
LOT 6
LOT 7
LOT 8
LOT 12
ZONED R-2
ZONED B-2
R-2
LOT 27
LOT 28
LOT 29
LOT 30
LOT 31
LOT 32
LOT 33
LOT 34
LOT A
LOT B
PRESENTLY ZONED R-2
PROPOSED ZONE B-1
PRESENTLY ZONED B-1
PROPOSED ZONE MU
RESUBDIVISION OF LOTS 32-35
BLOCK 4, YUILLE SUBDIVISION
(SLIDE 332B-E)
EAST 115' OF LOT 33
EAST 115' OF LOT 34
WEST 31' OF LOT 34
WEST 31' OF LOT 35
MAIN STREET 50' RIGHT-OF-WAY
RECORD EAST SIDE OF YUILLES SUB
BELROSE AVENUE 50' RIGHT-OF-WAY
DEDICATED NORTH RIGHT-OF-WAY OF BELROSE AVENUE
P.O.B.
TRIONE SUBDIVISION
A RE-PLAT OF LOTS 28 & 30, BLOCK 3, OF THE YUILLE BELROSE WHARF SUBDIVISION
(SLIDE 2478-D)
FORTUNA INVESTMENTS, LLC
2989 WOODROW LANE, SUITE 300
SPANISH FORT, AL 36527
(INS #1756078)
±0.40 ACRES
OLDE TOWNE DAPHNE OVERLAY DISTRICT
DAPHNE CITY HALL
BRICK BUILDING
ONE STORY BRICK HOUSE
GARAGE
CARPORT
DUMPSTER
ZONED B-2
DAPHNE, CITY OF
P.O. BOX 400
DAPHNE, AL 36526
(INS #1231853)
GRAPHIC SCALE
1 in = 40 ft
VICINITY MAP
1" = 1 MILE
LEGEND:
SURVEYOR'S NOTES:
FLOOD CERTIFICATE:
SURVEYOR'S CERTIFICATE:
STATE OF ALABAMA
COUNTY OF BALDWIN
03-07-2019
BOUNDARY SURVEY
PAY DIRT, LLC
Dewberry
RECEIVED
EXHIBIT B
MAY - 8 2019
COMMUNITY
DEVELOPMENT

BELROSE MIXED-USE CONCEPT BUILDING
NORTH ELEVATION



McCollough
Architecture, Inc.
P.O. BOX 6310
GULF SHORES, ALABAMA
36547-6310
PHONE: 251-968-7222

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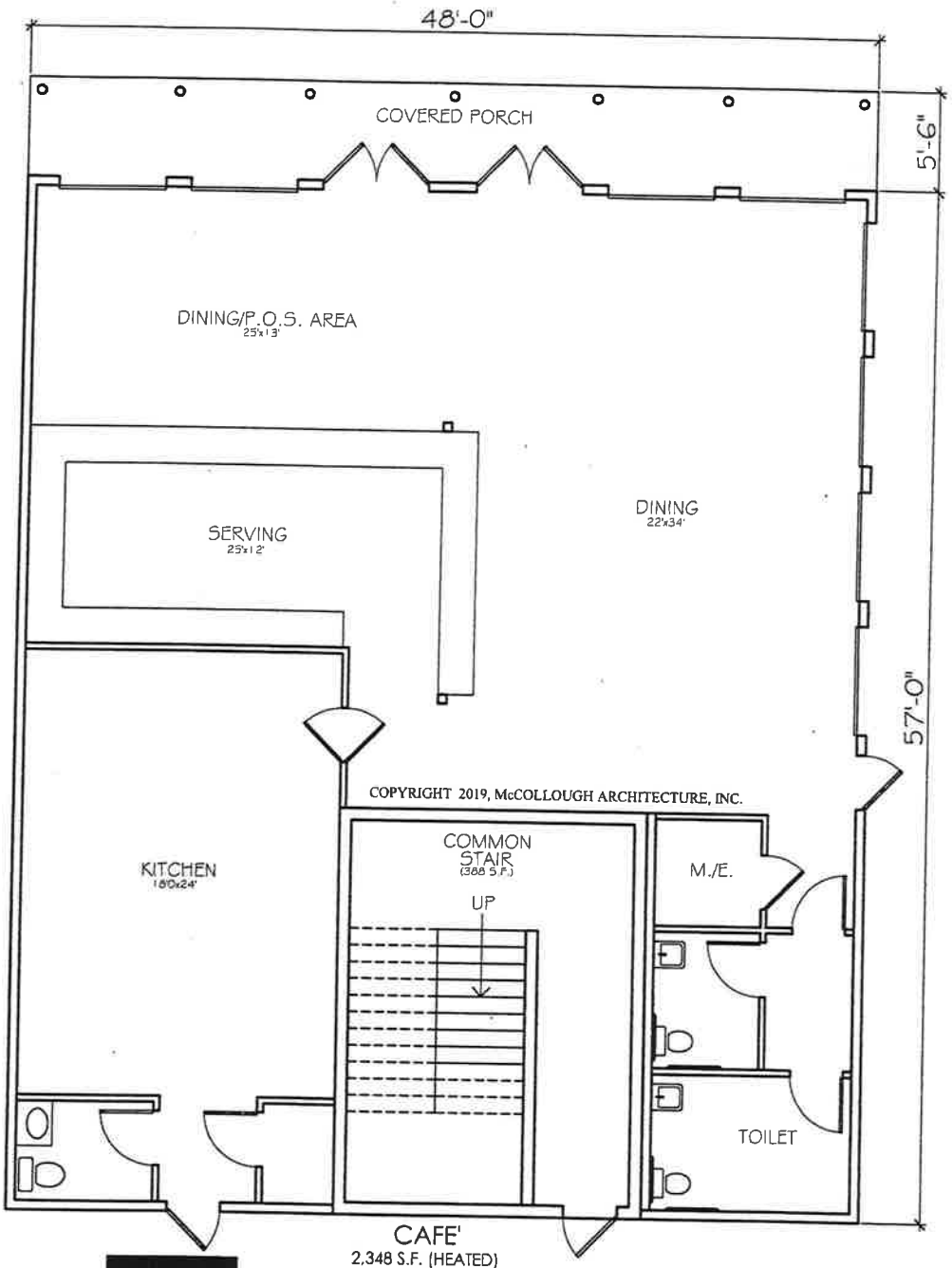


1st FLOOR
COMMERCIAL

McCOLLOUGH
ARCHITECTURE, INC.
P.O. BOX 6310
GULF SHORES, ALABAMA
36547-6310
PHONE: 251-968-7222

ADJACENT PROPERTY OWNERS TO BELROSE SOUTH

Parcel Number	Owner Name	Address	City	State	Zip
05-43-04-41-0-005-002.000	MCMILLAN, LOYD C JR ETAL MCMILLAN GARY S	106 DEJUZAN CIR	DAPHNE	AL	36526
05-43-04-41-0-005-002.000	FORTUNA INVESTMENTS L L C	29891 WOODROW LN STE 300	SPANISH FORT	AL	36527
05-43-04-41-0-005-029.004	CONLON, KRISTOPHER T	1709 MAIN ST	DAPHNE	AL	36526
05-43-04-41-0-005-029.002	MANCI ENTERPRISES L L C	711 CAPTAIN O'NEAL DR	DAPHNE	AL	36526
05-43-04-41-0-005-030.002	CONLON, KRISTOPHER	1709 MAIN ST	DAPHNE	AL	36526
05-43-04-41-0-005-001.003	SMITH, DR GRANT K DC CHIROPRACTIC CENTER	715 BELROSE AVE	DAPHNE	AL	36526
05-43-04-41-0-005-001.000	M2M INC	P O BOX 2547	DAPHNE	AL	36526
05-43-04-41-0-005-001.004	DIXIE LANDING COMPANY L L C	4813 MUMS CT	MOBILE	AL	36608
05-43-04-41-0-005-030.001	CONLON, KRISTOPHER T	1709 MAIN ST	DAPHNE	AL	36526
05-43-04-41-0-005-029.000	BURMEISTER, RACHEL BETH ETAL STOCKS, JAM	704 BELROSE AVE	DAPHNE	AL	36526
05-43-04-41-0-005-030.000	DAPHNE, CITY OF	P O BOX 400	DAPHNE	AL	36526

DANE HAYGOOD
MAYOR

ADRIENNE D. JONES
COMMUNITY DEVELOPMENT
DIRECTOR/ZONING ADMINISTRATOR

Daphne
COMMUNITY DEVELOPMENT
ALABAMA
The Jubilee City

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
ANGIE PHILLIPS
DISTRICT 7

May 10, 2019

NOTICE OF PUBLIC HEARING

A petition for REZONING will be considered by the Daphne Planning Commission for Fortuna Investments, L.L.C. containing 0.40 acres +/- located southwest of Main Street and Belrose Avenue zoned B-1, Local Business, proposed to be rezoned MU, Mixed Use.

Said petition will also be considered by the Daphne City Council pursuant to Alabama Code 11-52-85. The application is available for review at City Hall in the Department of Community Development, 1705 Main Street, during regular business hours. An informal site preview meeting will be held on Wednesday, May 15, 2019 at 8:30 a.m. in the Council Chambers of City Hall. The public is invited to attend: limited participation may be allowed by the chairman.

The public hearing will be held by the Daphne Planning Commission on Thursday, May 23, 2019 at 5:00 p.m. in the Council Chambers of City Hall. You may submit your views in writing, in person, or by representation.

Sincerely,
Adrienne D. Jones
Director of Community Development

Fortuna Investments, L.L.C. Zoning Amendment (Belrose South)

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

APPLICATION:
S.W. of the intersection of Main Street and Belrose Avenue

APPLICANT:
Fortuna Investments, LLC

AREA:
0.40 ac

LOTS:
2

PPIN:
72052 & 77321

ZONING:
B-1, Local Business

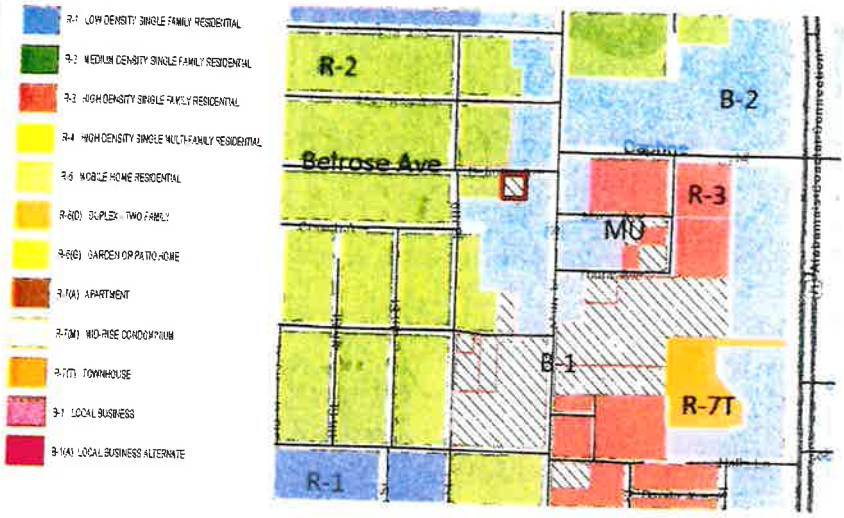
PROPOSED ZONING:
MU, Mixed Use

EXISTING PRECEDENT FOR PROPOSED ZONING:
Yes, Manci and Trione Avenue

COMPREHENSIVE PLAN:
Consistent, Compatible

RECOMMENDATION:
Approval

REZONING REQUEST
By
FORTUNA INVESTMENTS, LLC



REZONING REQUEST
FORTUNA INVESTMENTS, LLC

Existing Conditions: 0.4 acre+/- parcel with a structure (formerly a house)

Existing Zoning: B-1, Local Business

Proposed Zoning: MU, Mixed Use District

Surrounding Zonings/Uses:

North - R-2, Medium Density Single Family Residential and B-2, General Business

South - B-2, General Business/Daphne City Hall

West - R-2, Medium Density Single Family Residential/Residence

East - B-2, General Business/Manci's, Cousin Vinny's, Guido's

Existing Utility Service Providers:

Water - Daphne Utilities

Sewer - Daphne Utilities

Gas - Daphne Utilities

Electric - Riviera Utilities

Affected City 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 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.

REZONING REQUEST
FORTUNA INVESTMENTS, LLC

The petitioner proposes to rezone the subject 0.4 acre parcel from B-1 to MU in order to redevelop the site. The existing neighborhood character is a mix of eateries, offices, and institutional facilities along with a few remaining residences.

The property is located between Manci's restaurant, a single family residence to the west and City Hall to the south. Rezoning this site will allow low intensity commercial and residential use could be considered compatible with the existing development.

14-17 SETBACKS

MINIMUM DISTRICT REQUIREMENTS[d]				
Zoning Districts	Front Yard	Rear Yard	Side Yard	Corner Lot Side Yard
R-4[c], Single Family R-6(D or G), Duplex or Garden or Patio Home	15	20	6	25
R-4[c], Multi-Family	15	20	a	25
B-1, Local Business B-1(a), Limited Local Business	10	b	b	25
B-2, General Business	10	b	b	25
B-3, Professional Business	10	b	b	25
MU, Mixed Use	15	e	b	25

(a) When dwelling unit faces side yard, the dwelling unit shall not be less than twenty-five (25) feet from the side lot line.

(b) None. If there is a rear alley, the setback shall be twenty-five (25) feet. When abutting a residential district it shall be not less than ten (10) feet. (See Buffer Requirements, Section 14-13, Landscape Standards).

(c) The Planning Commission shall no longer consider zoning or rezoning amendments to an R-4 zoning district. All existing R-4, High Density Single and Multi-Family Residential Districts shall be developed in accordance with the standards provided herein. For all new requests, the following districts shall be considered in lieu of R-4: R-6(G) for all garden/patio homes developments; R-6(D) for duplexes; R-7(A) for apartments; and R-7(T) for townhouses and R-7(M) for mid-rise condominiums.

(d) Minimum district requirements for any zoning district not specifically listed in this table shall meet the minimum standards as established in Requirement for lot area, width and setbacks in Section 13-4, Requirements For Lot Area, Width, Coverage, Density, Height and Other Factors and 13-6, Minimum Zoning District Setback Requirements, herein.

(e) None. If there is an alley, the setback shall be twenty-five (25) feet. When abutting a residential district it shall be not less than fifteen (15) feet. (See Buffer Requirements, Section 14-13, Landscape Standards).

Excerpt from Section 12-4, Establishment of Districts, MU, Mixed-Use District:

A mixed-use district is allowed only within a designated overlay district. A mixed-use district shall be limited to a combination of either B-1, Local Business, B-2, General Business, B-3, Professional Business, and either R-7(A) Apartments, R-7(M) Mid-Rise Condominiums, or R-7(T) Townhouses.

This district is established to provide an opportunity to encourage the concentration of limited retail convenience goods and personal service establishments, business establishments of a professional nature, and high density residential development compatible with a good, high density living environment.

Staff Recommendation

Staff recommends approval

Fortuna Investments, L.L.C.

(Belrose South)

Zoning Amendment

Legal Description

Exhibit “A”

LOTS 31, 32 AND A PORTION OF LOT 33, BLOCK 3, OF YUILLE SUBDIVISION, BELROSE WHARF, SHOWN BY MAP OR PLAT THEREOF RECORDED IN MISCELLANEOUS BOOK 1, PAGE 169, PROBATE RECORDS, BALDWIN COUNTY. ALABAMA.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING ON A 1" REBAR AT THE NORTHWEST CORNER OF LOT 31, BLOCK 3, OF YUILLE SUBDIVISION, BELROSE WHARF, SHOWN BY MAP OR PLAT THEREOF RECORDED IN MISCELLANEOUS BOOK 1, PAGE 169, PROBATE RECORDS, BALDWIN COUNTY AND RUN THENCE SOUTH 89°35'16" EAST, ALONG THE SOUTH RIGHT OF WAY OF BELROSE AVENUE, A DISTANCE OF 140.03 FEET TO A 2" OPEN END IRON PIPE; THENCE RUN SOUTH 00°27'07" WEST, A DISTANCE OF 63.86 FEET TO A 1" OPEN END IRON PIPE; THENCE RUN NORTH 88°02'14" WEST, A DISTANCE OF 7.97 FEET TO A 1/2" CAPPED REBAR (19254); THENCE RUN SOUTH 00°24'46" WEST, A DISTANCE OF 64.26 FEET TO A 1/2" CAPPED REBAR (19254); THENCE RUN SOUTH 89°24'22" WEST, A DISTANCE OF 132.17 FEET TO A 1/2" CAPPED REBAR (CA-0700-LS); THENCE RUN NORTH 00°28'13" EAST, ALONG THE WEST LINE OF SAID LOT 31, A DISTANCE OF 130.23 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 0.40 ACRES, MORE OR LESS.

July 1, 2019
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 Pro-Tem LeJeune called the meeting to order at 6:30 p.m.

2. ROLL CALL:

COUNCIL MEMBERS PRESENT: Robin LeJeune, Tommie Conaway, Doug Goodlin, Ron Scott, Joel Coleman and Angie Phillips

Council Member Absent: Pat Rudicell

Also Present: Candace Antinarella, City Clerk; Patrick Dungan, City Attorney; Kelli Reid, Finance Department; Adrienne Jones, Planning Director; Troy Strunk, Executive Director of City Development; Charlie McDavid, Athletic Director; Joey Wehrman, Facilities Director; James White, Fire Department; David Carpenter, Police Department; and Tonja Young, Library Director.

INVOCATION/PLEDGE OF ALLEGIANCE:

Invocation was given by Pastor Bryant Evans, Eastern Shore Church of Christ.

PRESENTATION: Mayor Haygood introduced the Coach for the Daphne 5U T-Ball All-Stars. Their Coach presented the players to the Council.

3. APPROVE MINUTES:

The minutes of the June 17, 2019 regular meeting were approved.

4. REPORT OF STANDING COMMITTEES:

A. FINANCE COMMITTEE
Councilwoman Conaway said the minutes from the June 17th meeting were in the packet. She said the April 2019 Sales Tax was $1,486,830; the Lodging Tax was $104,865; the May 2019 Unrestricted Fund Balance was $13,704,534 and the Total Cash Balance was $23,268,760.

MOTION by Councilwoman Conaway to approve the LIT - $1,500 – Legislative Budget. MOTION CARRIED UNANIMOUSLY.

B. BUILDINGS & PROPERTY COMMITTEE
Councilman Goodlin said the next meeting will be July 8th at 5:15pm.

C. PUBLIC SAFETY COMMITTEE
Councilman Scott said the next meeting will be July 8th at 4:30pm.

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE
Councilwoman Phillips said the committee met that afternoon. She said a recommendation has been made to the Planning Commission to help them with updating the Mixed Use Ordinance specifically to the Overlay and Olde Towne Districts.

E. PUBLIC WORKS COMMITTEE
Councilman Coleman said the next meeting is August 5th at 5:30pm.

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments
Adrienne Jones said there was no report.

B. Downtown Redevelopment Authority
Councilwoman Conaway said there will be a representative from DRA at the next Work Session meeting. They will be discussing signage. She said the next meeting is July 24th at 5:30pm.

C. Industrial Development Board
Councilman Rudicell was absent. City Clerk said that there was no meeting that week due to the holiday.

D. Library Board
Councilwoman Phillips said the next meeting is July 11th at 4:00pm.

E. Planning Commission
Councilman Scott said the next meeting is July 25th at 5:00pm.

F. Recreation Board
Councilman LeJeune said the July 4th celebration will be this Thursday at Trione Park.

G. Utility Board
Councilman LeJeune said there was an opening on the Utility Board. He asked anyone who was interested to turn in their resume to the City Clerk. Councilman Scott said that to apply one must be a Utility User. Councilman LeJeune said that Danny Lyndall has recently turned in his resignation at Daphne Utilities as well.

6. MAYOR'S REPORT:

Mayor Haygood reminded everyone that the July 4th Celebration at Trione Park will begin at 5:00pm and the fireworks begin at 9:00pm. He mentioned that there have been a lot of improvements at Joe Louis Park. He mentioned the idea of doing a ribbon cutting for the Daphne Sports Complex in conjunction with the Cal Ripkin Tournament the City is hosting. He said Charlie McDavid thought the best time to have the ribbon cutting would be on Friday, July 12th at 5:00pm.

7. CITY ATTORNEY REPORT:
City Attorney had no report.

8. DEPARTMENT HEAD COMMENTS:

Chief Carpenter reminded everyone to be safe celebrating the 4th of July. He also reminded everyone that it is illegal to shoot fireworks in the City of Daphne.

City Clerk said that there are four upcoming events at the Civic Center.

Adrienne Jones said that the Planning Commission recently had five applications.

Kelli Reid said that Finance Department is working on the FY2020 budget.

9. CITY CLERK'S REPORT:

City Clerk notified the public of a special called meeting presented by the Baldwin County Commission in reference to a toll road from I-65 to I-10.

10. PUBLIC PARTICIPATION:

Public Participation opened at 6:53pm. Public Participation closed at 6:53pm.

11. RESOLUTIONS & ORDINANCES:

RESOLUTIONS:

ORDINANCES:

2nd READ:

2019-20 – Amend Job Classification Schedule – Information Technology Director

MOTION by Councilman Scott to waive the reading of Ordinance 2019-20.
Seconded by Councilwoman Phillips.
MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to adopt Ordinance 2019-20. Seconded by Councilwoman Phillips.

Councilwoman Conaway	**Aye**
Councilman Coleman	**Aye**
Councilman Goodlin	**Aye**
Councilman Scott	**Aye**
Councilman LeJeune	**Nay**
Councilwoman Phillips	**Aye**

MOTION CARRIED.

1st READ:

2019-30 – Additional Appropriation: Corte Road/Austin Road Change Improvements Phase 1 and 2 - $83,938

2019-31 – Additional Appropriation: Daphne Sports Complex: Excess Engineering Fees for 120 Day Contract Extension – Goodwyn, Mills & Caywood, Inc. - $6,285

2019-32 – Additional Appropriation: Engineering Services for Bayfront Streetscape and Parking - $10,000

2019-33 – Fire Code Ordinance

12. COUNCIL COMMENTS:

Mayor Haygood said he hopes everyone has a great 4th of July holiday and are safe.

Councilwoman Conaway said she would like to thank Jeremy Sasser and Troy Strunk for the improvements that are being done at Joe Louis Patrick Park.

Councilman Coleman said he hopes everyone has a safe July 4th.

Councilman Goodlin said he also hopes everyone has a great and safe 4th of July.

Councilman Scott said there was an article printed about the Daphne Sports Complex recently that was full of mistakes. He said that bullying on social media is a problem. He said he also hopes everyone has a great 4th of July.

Councilwoman Phillips said she would like to point out that the youth recognized that evening, as well as the upcoming Cal Ripkin Tournament, are reasons the Council voted to move forward in 2016 with the Daphne

Sports Complex. She hopes individuals will not lose sight why they have made improvements in the City and Community.

Councilman LeJeune said the Daphne Sports Complex is something he is proud of. He said the City has a lot going on for the holiday and hopes everyone stays safe.

13. <u>ADJOURN</u>:

THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE MEETING ADJOURNED AT 7:02 P.M.

Respectfully submitted by,

_____
Candace G. Antinarella, City Clerk

Certification of Presiding Officer

_____
Robin LeJeune, Council Pro-Tem

Permit Activity Report New Construction Report June 2019

Monday, July 1, 2019

Permit Code From: BL To: BL
Issued Date From: 6/1/2019 To: 6/30/2019
Improvement Type: NEW

Permit Code: BL **BUILDING PERMIT**

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
275-1	ARK BUILDERS LLC	19-1189		28523 LAWSON RD	Yes	A	06/20/2019	06/20/2019	$210,390.00	$1,070.00
	ARK BUILDERS LLC			Daphne, AL 36526	Sub Division:				SQ. FT	Lot: A
6152-1	ESTES REMODELING	19-1136		213 MONTCLAIR LOOP	Yes	A	06/13/2019	06/13/2019	$122,130.00	$630.00
	ESTES REMODELING			Daphne, AL 36526	Sub Division:		Lake Forest		SQ. FT	Lot: 45
5278-1	D R HORTON INC - BIRMINGHAM	19-1245		9393 DIAMANTE BLVD	Yes	A	06/24/2019	06/24/2019	$208,020.00	$1,060.00
	D R HORTON INC - BIRMINGHAM			Daphne, AL 36526	Sub Division:		DIAMANTE		SQ. FT	Lot: 29
5278-1	D R HORTON INC - BIRMINGHAM	19-1243		9469 DIAMANTE BLVD	Yes	A	06/24/2019	06/24/2019	$205,050.00	$1,045.00
	D R HORTON INC - BIRMINGHAM			Daphne, AL 36526	Sub Division:		DIAMANTE		SQ. FT	Lot: 34
5278-1	D R HORTON INC - BIRMINGHAM	19-1143		9427 DIAMANTE BLVD	Yes	A	06/17/2019	06/17/2019	$175,020.00	$895.00
	D R HORTON INC - BIRMINGHAM			Daphne, AL 36526	Sub Division:		DIAMANTE		SQ. FT	Lot: 31
6152-1	ESTES REMODELING	19-1296		174 GREENWOOD DRIVE	Yes	A	06/28/2019	06/28/2019	$99,000.00	$510.00
	ESTES REMODELING			Daphne, AL 36526	Sub Division:		Lake Forest		SQ. FT	Lot: 71
				Total Residential - NEW - R3 BL Permit(s)				6	$1,019,610.00	$5,210.00

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
2508-1	JONES DESIGN & CONSTRUCTION	19-1120		715 MAXWELL DRIVE	Yes	A	06/10/2019	06/10/2019	$170,100.00	$895.00
	JONES DESIGN & CONSTRUCTION			Daphne, AL 36526	Sub Division:				SQ. FT	Lot:

5754-1	TRULAND HOMES	19-1130		900 VAN AVE	Yes	A	06/12/2019	06/12/2019	$164,910.00	$840.00
	TRULAND HOMES			Daphne, AL 36526	Sub Division:		OLD DAPHNE		SQ. FT	Lot: 5

Total Residential - NEW - R2 BL Permit(s) 2 $335,010.00 $1,735.00

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
84-1	ADAMS HOMES, LLC	19-1284		27483 ELISE COURT	Yes	A	06/26/2019	06/26/2019	$103,590.00	$535.00
	ADAMS HOMES, LLC			Daphne, AL 36526	Sub Division:		Caroline Woods		SQ. FT	Lot: 106
84-1	ADAMS HOMES, LLC	19-1285		27461 ELISE COURT	Yes	A	06/26/2019	06/26/2019	$119,220.00	$615.00
	ADAMS HOMES, LLC			Daphne, AL 36526	Sub Division:		Caroline Woods		SQ. FT	Lot: 103
84-1	ADAMS HOMES, LLC	19-1286		27469 ELISE COURT	Yes	A	06/26/2019	06/26/2019	$125,610.00	$645.00
	ADAMS HOMES, LLC			Daphne, AL 36526	Sub Division:		Caroline Woods		SQ. FT	Lot: 104
6251-1	TAG HOMES	19-1293		518 ROLLING HILL CIRCLE	Yes	A	06/27/2019	06/27/2019	$95,310.00	$495.00
	TAG HOMES			Daphne, AL 36526	Sub Division:		Rolling Hill Place		SQ. FT	Lot: 10

Total Residential - NEW - R4 - HIGH DENSITY RESIDENTIAL BL Permit(s) 4 $443,730.00 $2,290.00

Residential - NEW - R4 - MULTI-FAMILY 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	19-1251		25806 POLLARD ROAD (UNITS 37-42)	Yes	A	06/24/2019	06/24/2019	$587,340.00	$2,955.00
	D R HORTON INC - BIRMINGHAM			Daphne, AL 36526	Sub Division:		VILLAS AT ST CHARLES		SQ. FT	Lot: 37-42

Total Residential - NEW - R4 - MULTI-FAMILY BL Permit(s) 1 $587,340.00 $2,955.00

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	19-1132		7781 ELDERBERRY LANE	Yes	A	06/12/2019	06/12/2019	$182,340.00	$930.00
	TRULAND HOMES			Daphne, AL 36526	Sub Division:		Timber Creek		SQ. FT	Lot: 25
5754-1	TRULAND HOMES	19-1131		7789 ELDERBERRY DRIVE	Yes	A	06/12/2019	06/12/2019	$190,140.00	$970.00
	TRULAND HOMES			Daphne, AL 36526	Sub Division:		Timber Creek		SQ. FT	Lot: 26

6311-1	DSLD HOMES, LLC	19-1175		23762 BLYTHEWOOD LANE	Yes	A	06/19/2019	06/19/2019	$134,760.00	$690.00
	DSLD HOMES, LLC			Daphne, AL 36526	Sub Division:		Old Field		SQ. FT	Lot: 33

Total Residential - NEW - R-6G BL Permit(s) 3 $507,240.00 $2,590.00

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	19-1144		8291 HARMON STREET	Yes	A	06/17/2019	06/17/2019	$122,100.00	$630.00
	D R HORTON INC - BIRMINGHAM			Daphne, AL 36526	Sub Division:		WINGED FOOT		SQ. FT	Lot: 121
5278-1	D R HORTON INC - BIRMINGHAM	19-1145		26036 GILMORE WAY	Yes	A	06/17/2019	06/17/2019	$122,100.00	$630.00
	D R HORTON INC - BIRMINGHAM			Daphne, AL 36526	Sub Division:		WINGED FOOT		SQ. FT	Lot: 118
5278-1	D R HORTON INC - BIRMINGHAM	19-1252		8480 MACKIE LANE	Yes	A	06/24/2019	06/24/2019	$153,090.00	$785.00
	D R HORTON INC - BIRMINGHAM			Daphne, AL 36526	Sub Division:		WINGED FOOT		SQ. FT	Lot: 95
5278-1	D R HORTON INC - BIRMINGHAM	19-1253		26001 GILMORE WAY	Yes	A	06/24/2019	06/24/2019	$122,100.00	$630.00
	D R HORTON INC - BIRMINGHAM			Daphne, AL 36526	Sub Division:		WINGED FOOT		SQ. FT	Lot: 108
5278-1	D R HORTON INC - BIRMINGHAM	19-1254		26046 GILMORE WAY	Yes	A	06/24/2019	06/24/2019	$122,100.00	$630.00
	D R HORTON INC - BIRMINGHAM			Daphne, AL 36526	Sub Division:		WINGED FOOT		SQ. FT	Lot: 116
5278-1	D R HORTON INC - BIRMINGHAM	19-1255		8444 MACKIE LANE	Yes	A	06/24/2019	06/24/2019	$153,090.00	$785.00
	D R HORTON INC - BIRMINGHAM			Daphne, AL 36526	Sub Division:		WINGED FOOT		SQ. FT	Lot: 89
5278-1	D R HORTON INC - BIRMINGHAM	19-1256		8475 MACKIE LANE	Yes	A	06/24/2019	06/24/2019	$153,090.00	$785.00
	D R HORTON INC - BIRMINGHAM			Daphne, AL 36526	Sub Division:		WINGED FOOT		SQ. FT	Lot: 101
5278-1	D R HORTON INC - BIRMINGHAM	19-1257		8487 MACKIE LANE	Yes	A	06/24/2019	06/24/2019	$153,090.00	$785.00
	D R HORTON INC - BIRMINGHAM			Daphne, AL 36526	Sub Division:		WINGED FOOT		SQ. FT	Lot: 99
5278-1	D R HORTON INC - BIRMINGHAM	19-1250		8456 MACKIE LANE	Yes	A	06/24/2019	06/24/2019	$153,090.00	$785.00
	D R HORTON INC - BIRMINGHAM			Daphne, AL 36526	Sub Division:		WINGED FOOT		SQ. FT	Lot: 91

Total Residential - NEW - PUD R-3 BL Permit(s) 9 $1,253,850.00 $6,445.00

Residential - NEW - PUD 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	19-1240		24714 SLATER MILL RD	Yes	A	06/24/2019	06/24/2019	$144,330.00	$740.00
	D R HORTON INC - BIRMINGHAM			Daphne, AL 36526	Sub Division:		BLACKSTONE LAKES		SQ. FT	Lot: 58
5278-1	D R HORTON INC - BIRMINGHAM	19-1244		9414 SWAN POINT ROAD	Yes	A	06/24/2019	06/24/2019	$130,680.00	$670.00
	D R HORTON INC - BIRMINGHAM			Daphne, AL 36526	Sub Division:		BLACKSTONE LAKES		SQ. FT	Lot: 164
5278-1	D R HORTON INC - BIRMINGHAM	19-1247		9356 SWAN POINT ROAD	Yes	A	06/24/2019	06/24/2019	$130,680.00	$670.00
	D R HORTON INC - BIRMINGHAM			Daphne, AL 36526	Sub Division:		BLACKSTONE LAKES		SQ. FT	Lot: 158
5278-1	D R HORTON INC - BIRMINGHAM	19-1249		9306 SWAN POINT ROAD	Yes	A	06/24/2019	06/24/2019	$130,680.00	$670.00
	D R HORTON INC - BIRMINGHAM			Daphne, AL 36526	Sub Division:		BLACKSTONE LAKES		SQ. FT	Lot: 153
5278-1	D R HORTON INC - BIRMINGHAM	19-1246		24725 SLATER MILL ROAD	Yes	A	06/24/2019	06/24/2019	$144,330.00	$740.00
	D R HORTON INC - BIRMINGHAM			Daphne, AL 36526	Sub Division:		BLACKSTONE LAKES		SQ. FT	Lot: 86

Total Residential - NEW - PUD BL Permit(s)	5	$680,700.00	$3,490.00
Total Residential - NEW BL Permit(s)	30	$4,827,480.00	$24,715.00
Total Residential BL Permit(s)	30	$4,827,480.00	$24,715.00

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
6486-1	INNOVATIVE BUILDING SOLUTION	19-1270		26241 EQUITY DRIVE	Yes	A	06/25/2019	06/25/2019	$316,311.00	$1,916.00
	INNOVATIVE BUILDING SOLUTION			Daphne, AL 36526	Sub Division:		AUSTIN PLACE COMME		SQ. FT	Lot:
6509-1	SOUTHERN COMMERCIAL CONST	19-1109		1412 US HWY 98	Yes	A	06/05/2019	06/05/2019	$415,000.00	$2,490.00
	SOUTHERN COMMERCIAL CONST			Daphne, AL 36526	Sub Division:		COLONIAL SELF STORA		SQ. FT	Lot:

Total Non Residential - NEW - B2 BL Permit(s)	2	$731,311.00	$4,406.00
Total Non Residential - NEW BL Permit(s)	2	$731,311.00	$4,406.00
Total Non Residential BL Permit(s)	2	$731,311.00	$4,406.00
Total BL Permit(s)	32	$5,558,791.00	$29,121.00

Grand Totals	32	$5,558,791.00	$29,121.00

June 2019

Permit Activity Summary Report

Monday, July 1, 2019

Permit Code From: BL To: xSG
Issued Date From: 6/1/2019 To: 6/30/2019

Permit Code	Description	# Of Permits	Job Cost/Value	Permit Fee
BL	BUILDING PERMIT	79	$6,905,297.26	$36,835.00
EL	ELECTRICAL PERMIT	23	$162,390.00	$2,511.00
EL-NEW	ELECTRICAL - NEW	48	$0.00	$5,280.00
LD	LAND DISTURBANCE	8	$0.00	$800.00
ME	MECHANICAL PERMIT	15	$82,386.00	$939.25
ME-NEW	MECHANICAL - NEW	23	$0.00	$2,530.00
PL	PLUMBING PERMIT	6	$59,000.00	$876.00
PL-NEW	PLUMBING - NEW RESIDENTIAL	21	$0.00	$2,310.00
	Grand Totals	223	$7,209,073.26	$52,081.25

additional fee's $5,789.92

$57,871.17

June 2019

Certificate Of Occupancy Report

Printed On : 7/1/2019

CO Issued Date From: 6/1/2019 To: 6/30/2019

Permit Number	CO Issued	Owner Name	Address	Sub Division	Status
18-1367	6/3/2019	TRULAND HOMES	8727 BAINBRIDGE DRIVE	Brookhaven	
18-898	6/3/2019	TRULAND HOMES	8723 BAINBRIDGE DRIVE	Brookhaven	
19-21	6/4/2019	D R HORTON	8210 IRWIN LOOP	WINGED FOOT	
19-14	6/10/2019	D R HORTON	8317 HARMON STREET	WINGED FOOT	
18-1669	6/18/2019	TRULAND HOMES	711 MAXWELL AVE	MAXWELL HEIGHTS	
19-584	6/20/2019	D R HORTON	9463 VOLTERRA AVE	BLACKSTONE LAKES	
18-327	6/20/2019	D R HORTON	26471 ZOELLER LANE	WINGED FOOT	
18-337	6/20/2019	D R HORTON	8299 OGILVY COURT	WINGED FOOT	
18-925	6/24/2019	TRULAND HOMES	8724 BAINBRIDGE DRIVE	Brookhaven	
18-1813	6/24/2019	TRULAND HOMES	8852 LONGUE VUE BLVD	French Settlement	
18-1840	6/25/2019	D R HORTON	9149 DIAMANTE BLVD	DIAMANTE	
19-97	6/25/2019	D R HORTON	8424 MACKIE LANE	WINGED FOOT	
19-99	6/25/2019	D R HORTON	8406 MACKIE LANE	WINGED FOOT	
18-1368	6/25/2019	TRULAND HOMES	8765 ROSEDOWN LANE	French Settlement	
18-1697	6/25/2019		8243 Irwin Loop	Winged Foot	
18-1319	6/25/2019	D R HORTON	8220 IRWIN LOOP	WINGED FOOT	
18-1311	6/25/2019	TRULAND HOMES	8755 ROSEDOWN LANE	French Settlement	
19-999	6/25/2019	TONSMEIRE PROPERTIES	2200 EAST BAY DRIVE	EAST BAY POA	
19-159	6/26/2019	D R HORTON	10238 DUNLEITH LOOP	Old Field	
19-1275	6/26/2019	D R HORTON	26153 GILMORE WAY	WINGED FOOT	
19-13	6/26/2019	D R HORTON	8323 HARMON STREET	WINGED FOOT	
19-94	6/27/2019	D R HORTON	8418 MACKIE LANE	WINGED FOOT	
19-157	6/28/2019	D R HORTON	10222 DUNLEITH LOOP	Old Field	

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All Building Permits June 2019

Periodic Report of Permits Issued by Improvement

07/01/2019

Issued Date From: 6/1/2019 To: 6/30/2019

		Code	Count	# Of Units	Valuation	Permit Fee
BUILDING PERMIT						
Residential						
REINSPECTION FEE	PUD R-3	BL	1			$50.00
NEW	R3	BL	6		$1,019,610.00	$5,210.00
NEW	R2	BL	2		$335,010.00	$1,735.00
NEW	R4 - HIGH DENSITY R	BL	4		$443,730.00	$2,290.00
NEW	R4 - MULTI-FAMILY	BL	1		$587,340.00	$2,955.00
NEW	R-6G	BL	3		$507,240.00	$2,590.00
NEW	PUD R-3	BL	9		$1,253,850.00	$6,445.00
NEW	PUD	BL	5		$680,700.00	$3,490.00
REPAIR	R1	BL	1		$362,166.17	$1,830.00
RE-ROOF	R1	BL	6		$122,747.17	$715.00
RE-ROOF	R3	BL	11		$153,542.20	$950.00
RE-ROOF	R4 - HIGH DENSITY R	BL	3		$27,204.50	$190.00
ADDITION	R3	BL	1		$59,425.00	$315.00
POOL	R1	BL	4		$196,362.00	$1,050.00
POOL	R3	BL	3		$102,664.00	$560.00
SUNROOM	R1	BL	1		$15,800.00	$95.00
MISCELLANEOUS	R1	BL	1		$772.00	$20.00
MISCELLANEOUS	R3	BL	5		$23,715.00	$210.00
Non-Residential						
NEW	B2	BL	2		$731,311.00	$4,406.00
RE-ROOF	B2	BL	1		$46,154.00	$282.00
POOL	RR	BL	1		$135,750.00	$816.00
MISCELLANEOUS	B2	BL	2		$25,500.00	$156.00
	Total - BUILDING PERMIT		73		$6,830,593.04	$36,360.00
	Grand Total		73	0.00	$6,830,593.04	$36,360.00

Public Safety Committee

Monday, June 10, 2019

Councilman Ron Scott	Police Chief David Carpenter
Councilman Doug Goodlin	Fire Chief James White
Councilman Robin LeJeune	Public Works Director, Jeremy Sasser
Councilman Pat Rudicell	Samantha Cooper - Secretary
Councilwoman Tommie Conaway	
Councilman Joel Coleman	
Councilwoman Angie Phillips	

Committee Members Attending:
Councilman Ron Scott, Councilman Doug Goodlin, Councilman Robin LeJeune, Councilman Pat Rudicell, Councilwoman Tommie Conaway, Councilman Joel Coleman, Councilwoman Angie Phillips, Police Lieutenant David Smith, Fire Chief James White, Public Works Director Jeremy Sasser.

CALL TO ORDER

Councilman Ron Scott **convened** the meeting at 4:30 p.m.

PUBLIC PARTICIPATION –

Mr. Derek Norman, 611 Van Ave., Mr. Ray Tucker, 1407 6th Street, Daphne, AL – addressed the committee regarding traffic flow issues on 6th Street and the junction of Van Ave. and College Ave, especially in the mid-afternoon / afternoon traffic times in conjunction with the schools. They stated that they feel there is some type of need for speed bumps or traffic calming devices in this area due to high speeds and narrow road ways.
Councilman Rudicell asked Jeremy/Troy with Public Works to speak on the change in traffic patterns during school at Christ the King which was previously purposed. Troy stated that the City meet with Father Michael and Mr. Crane following up from a previous meeting a few months ago from the traffic study of closing a section of 6th Street for a few hours each day during drop off and pick up times for school. They currently are not wanting to rush this decision until they start the improvements on the school and once the finances are squared away to do so. They stated they are looking at implementing this, with reassurance from the Mayor and council for their blessing in doing this, likely in the 20-21 school year.
Mr. Norman stated the neighborhood was not aware of when this traffic study was done and would have liked to have been notified so they could have paid attention to if this helped the traffic flow in the aforementioned area or not, however they were not aware and could not give any type of feedback from a neighborhood standpoint. He added that Van Ave. is extremely narrow with numerous people ending up in the ditch on this road, it is very difficult to navigate, especially at night. He stated that people do not stop at the stop signs, they just go through them. It is very dangerous.
Councilman Rudicell added that Van Ave. is a part of the sidewalk project that they are working on in the 5 year plan, and 6th Street will eventually as well. He stated it is coming, but just takes some time to get there.
Councilman LeJeune asked that Public Works place the speed signs in this area to help get some data and see if it will at least slow people down until a full solution can be made. Councilman Scott agreed. Councilman LeJeune made a motion for the speed light sign be placed in this area. Councilman Goodlin second motion. All were in favor.

Mr. Steve Sasser, 106 Glenwood Cir, Daphne, AL – addressed the committee representing the Lake Forest POA regarding traffic and speeding issues specifically in the Bayview Drive, Ridgewood Drive area of the

Home Depot entrance. He stated that the Lake Forest POA passed a resolution to formally request the City to do whatever they can regarding traffic calming devices for this area. He added that on Ridgewood Drive, specifically at an area known as "Dead-man's Curve", cars go too fast down this hill and it goes next to near immediately into a 90 degree turn. He stated that there have been several cars over the year that have been unable to make this turn due to their speed and end up on the other side of the street. He is requesting that the city put up a guardrail in this area, around 555 Ridgewood Dr.
Councilman Scott stated he is unsure of what they will do to resolve this issues, but stated that Jeremy has previously stated that if the POA wanted to assist with producing the material for such projects the City will produce the labor.

APPROVAL OF MINUTES FROM PREVIOUS MEETING
Minutes from May 13, 2019, were approved as presented.

POLICE DEPARTMENT

A. New Business –
April 2019 stats were presented. April 2019 D-runs were also presented.

Lt. David Smith stated that they had a complaint come in from the Old Town Daphne area about foxes and who to contact. They were directed to contact Wild Life Solutions as the animal shelter are unable to handle wildlife. Councilman Rudicell inquired if we could use our advertising sign as a public service announcement for where to call, Wild Life Solutions, along with the number, so that people are informed and know who to contact in these situations.

Lt. Smith stated that Lt. Brian Gulsby finished the FBI National Academy. He stated we have 5 of our 6 command leaders to have graduated this training (currently staffed).

Councilman Scott stated that in the previous meeting we had asked the Police Dept. to provide some statistical data for years of experience and how close we are to retirement within our police department. Lt. Smith stated that as you can see with the numbers our officers either have 10-20-25+ years of experience or 1 year of experience, there isn't much in between 2-10 years, which in his opinion, shows a problem with retention issues we've been having over the past several years. Smith added that it usually takes about 3 years before it starts "clicking" for our officers once they are out on the road on their own. Around this time is when they start to have the confidence in themselves in doing what they do without needing reassurance. Councilman Scott stated that if and when they ever do the strategic plan for the city, we need to start addressing some of these dangers, weaknesses, and vulnerabilities within the City. In his opinion, he stated this area within the Police Department is definitely one and we need to figure out what we can do about it. Councilman Scott also added that if the retention issues that we are having is because of pay, then we need some recommendations on this so that we can do what we need to do as a City to keep our employees that we invest in and train.

Councilman LeJeune added that he wanted to thank our officers, as one of them was driving through Lake Forest the other day and helped a few lost boys and gave them a ride home, one of them was his son, and he just wanted to give his thanks and appreciation for this.

FIRE DEPARTMENT

A. New Business –
The stats were presented for April 2019 in the packet.

Chief White added he did want to point out on their training for the month of April. They had 1,102 hours of training for the month, holding several classes throughout the month, encountering 250 adults and 155 kids.

Councilman Scott inquired as to where they were at with the apprentice program. Chief White stated that they are still in the process right now of securing the training chief position and having to back fill the other positions of Lieutenant and Battalion Chief. He stated he hopes to have everyone in place by October and will be able to move forward with the rest of everything else with the training school.

Councilman Rudicell asked Chief White if he could provide a map highlighted with the main thorough-fares and any other streets he feels in his point of view as Fire Chief, that need to be excluded from any type of traffic calming devices for planning purposes, as this would help them in the coming months with that particular ordinance.

Chief White stated that they had a pretty big structure fire on Greenbay in Lake Forest. He stated it was still under investigation. He also stated that they had a gentleman that was brought to the fire station that was dead on arrival, but they brought him inside trying to work on him for about 20 minutes before the emergency room pronounced him deceased. He stated that the just got a new machine called the Lucas, which does automatic compressions for you. They were able to get 3 for the price of 1 from Mobile.

OTHER BUSINESS –

ADJOURN

There being no further business to discuss, Councilman Scott made a motion to adjourn the meeting at 5:20 p.m. The next meeting will be Monday, July 8, 2019, at 4:30 p.m. at City Hall Council Chambers.

Respectfully submitted,

Daphne Public Safety Committee

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF JUNE 27, 2019
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Report

1. **CALL TO ORDER:** 5:00 p.m.

2. **CALL OF ROLL:** Marybeth Bergin, Phillip Hodgson, Andrew Prescott, Ron Scott, Ed Kirby, Chief White, and Bolton Tucker

3. **APPROVAL OF MINUTES:**

   Review of minutes of the regular meeting of May 23, 2019. **(Approved)**

4. **NEW BUSINESS:**

   A. **OFFICIAL ZONING AND STREET MAP UPDATE:**

      1. **File AP19-09: (Set forth a favorable recommendation to City Council)**

         Presentation to be given by Adrienne Jones, Director of Community Development, of a proposed amendment to the Official Zoning Map and the Official Street Map.

   B. **OLDE TOWNE DAPHNE DISTRICT MAP PROPOSAL:**

      1. **File AP19-10: (Tabled to the meeting of July 25, 2019)**

         A proposed amendment to Ordinance 2011-54, The Land Use and Development Ordinance, Article 14, Section 20(a) to amend the boundary of the Olde Towne Daphne District Map to include parcels west of Main Street and east of Sixth Street, excluding, however, all parcels contiguous to Sixth Street.

5. **PUBLIC PARTICIPATION:** None presented

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

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

8. **DIRECTOR'S COMMENTS:** The upcoming meeting dates are site preview, July 17 & regular meeting, July 25, 2019.

9. **ADJOURNMENT:** 5:33 p.m.

The City of Daphne
Planning Commission Minutes
Regular Meeting of May 23, 2019
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 5:00 p.m. The number of members present constitutes a quorum.

Call of Roll:

Members Present:

Andrew Prescott, Secretary
Bolton Tucker
Ed Kirby
Marybeth Bergin, Chairman
Phillip Hodgson, Vice Chairman
Ron Scott (arrived @ 5:03 p.m.)
Hudson Sandefur
Chief White

Staff Present:

Adrienne Jones, Director of Community Development
Jan Vallecillo, Planning Coordinator
Patrick Dungan, 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 special called meeting of April 9 and regular meeting of April 25, 2019. There being none, minutes are approved as submitted.***

Mr. Scott arrived at 5:03 p.m.

The next order of business is site plan review for Eastern Shore Center.

An introductory presentation was given by Andy Rotenstreich, representative of Baker Donelson, P.C, requesting site plan review of a one-hundred and fifty-foot monopole telecommunication facility located northwest of the intersection of Renaissance Boulevard and U.S. Highway 90 and stated a special exception was granted by the Board of Zoning Adjustment. He also stated that staff deficiencies have been addressed.

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

A **Motion** was made by Mr. Hodgson and **Seconded** by Mr. Prescott ***to approve the site plan for an AT&T telecommunications facility. There was no discussion on the motion. The Motion carried unanimously.***

The next order of business is final plat review for Jubilee Farms Subdivision, Phases One and Three.

An introductory presentation was given by Steve Pumphrey, representative of Dewberry, requesting final review of Jubilee Farms Subdivision, Phases One and Three located southeast of Austin Road and Alabama Highway 181.

Mr. Pumphrey stated we have been working diligently to address the deficiencies; in lieu of completion of the remainder of the improvements, the developer has also posted a performance bond.

Chairman asked have staff deficiencies been addressed. Ms. Jones responded she has received a memorandum from the Fire Marshal and Environmental Programs Manager, but I do not have one from the Public Works Director.

Chairman asked the Public Works Director would not sign the final plat unless he is satisfied. Ms. Jones responded that is correct.

Chairman asked for Commission questions or comments.

Mr. Prescott asked about the resolution to the question regarding the application of the final wearing surface.

Mr. Hodgson also asked if that decision is at the discretion of the Public Works Director.

Ms. Jones responded the developer presented a performance bond for surfacing and sidewalks in common areas so a solution could be that no street acceptance can occur until such time the work is complete. She stated a maintenance bond for workmanship accompanies a petition, but it does not cover wear, tear or any damages that occurs during construction; therefore, she recommended final plat approval if Commissioners are in agreement that a petition for street acceptance will not be forwarded to City Council until such time the wearing surface is installed.

Chairman stated final plat approval would allow the developer to sell lots, but does not designate it as a city street until it is accepted. Ms. Jones concurred.

Chairman asked for Commission questions or comments and a motion.

A **Motion** was made by Mr. Kirby and **Seconded** by Mr. Hodgson ***to approve the final plat for Jubilee Farms Subdivision, Phase One. There was no discussion on the motion. The Motion carried unanimously.***

A **Motion** was made by Mr. Kirby and **Seconded** by Mr. Hodgson ***to approve the final plat for Jubilee Farms Subdivision, Phase Three. There was no discussion on the motion. The Motion carried unanimously.***

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

An introductory presentation was given by Steve Pumphrey, representative of Dewberry, requesting preliminary/final plat review of a five-lot subdivision zoned RA, Rural Agricultural, consisting of approximately twenty acres located east of Sedona Drive and County Road 54, pending approval of Baldwin County.

Chairman asked for Commission questions or comments.

Mr. Scott asked about a sign for the sale of three-acre lots. Mr. Pumphrey responded that particular subdivision is located west side of County Road 54.

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

Chairman referenced citizen comments received and commented that a rezoning was denied by Baldwin County; the property is currently zoned RA, and the applicant proposes to subdivide the property into three-acre lots which meets Baldwin County standards.

A **Motion** was made by Mr. Hodgson and **Seconded** by Mr. Prescott ***to approve the preliminary/final plat for Newport Subdivision. There was no discussion on the motion. The Motion carried unanimously.***

The next order of business is a master plan revision for Winged Foot Subdivision, a Planned Unit Development, and preliminary/final plat review for Winged Foot Subdivision, Phase One.

An introductory presentation was given by Steve Pumphrey, representative of Dewberry, of a request an amendment of the master plan of Winged Foot Subdivision, a Planned Unit Development, and a two-lot subdivision of the commercial lot, C-1, located northwest of Predazzer Lane and County Road 64 which requires a modification to the master plan.

Chairman asked for Commission questions or comments.

Mr. Scott asked about construction on this lot. Mr. Pumphrey responded two-commercial office buildings.

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. Prescott and **Seconded** by Mr. Kirby ***to approve a master plan amendment for Winged Foot Subdivision, a Planned Unit Development. There was no discussion on the motion. The Motion carried unanimously.***

A **Motion** was made by Mr. Kirby and **Seconded** by Mr. Prescott ***to approve a preliminary/final plat for Winged Foot Subdivision, Phase One, Lot C-1. There was no discussion on the motion. The Motion carried unanimously.***

The next order of business is an administrative presentation of a proposed amendment to the Olde Towne Daphne District Map, rezoning request for Fortuna Investments, L.L.C. (Belrose North) and a rezoning request for Fortuna Investments, L.L.C. (Belrose South).

An introductory presentation was be given by Steve Pumphrey, representative of Dewberry, of a request for a modification to the boundary of the Olde Towne Daphne District to include a site northwest of Main Street and Belrose Avenue for the purpose of the construction of an office building. He stated one of the benefits of being included in the district is to bring the building closer to the roadway to allow more room for parking in the back.

Chairman asked for Commission questions or comments.

Mr. Scott referenced the presentation by Architects Southwest and stated one of their recommendations was to have buildings closer to the road and parking in the rear where possible; this request is what the City envisions for the Olde Towne Daphne area.

Mr. Scott commented that the Council is very protective of and does not want any commercial development on Sixth Street. Chairman stated the Commissioners have been asked to consider amending the Olde Town Daphne District to extend two blocks west of Main Street and to exclude Sixth Street, upon setting a public hearing.

Mr. Strunk presented the following motion made by the City Council on April 15, 2019:

A Motion was made by Councilman Coleman requesting the Daphne Planning Commission consider an amend the boundary of the Olde Towne Daphne District to include parcels west of Main Street and east of Sixth Street, excluding, however, all parcels contiguous to Sixth Street. Further, upon passage of this motion by the Council that the City Clerk present a copy of said motion to the Chairman of the Daphne Planning Commission. The motion carried unanimously.

Chairman stated the public hearing is the zoning amendment for the northern parcel from R-2, Medium Density Single Family Residential, to B-3, Professional Business, or the southern parcel from B-1, Local Business, to MU, Mixed Use on Belrose Avenue.

Mr. Pumphrey stated that the rezoning of Belrose North is for the construction of an office building, and rezoning of Belrose South is for the construction of mixed use, commercial and residential, building.

Mr. Scott commented that this follow up with the desire to have as many mixed used buildings in the Olde Towne Daphne area as possible which is basically urban living or a walkable community.

Chairman asked for Commission questions or comments.

Chairman opened the floor to public participation.

Don Ouellette, 7720 Elizabeth Drive, asked about parking.

Chairman stated these are renderings of the buildings. Parking will be addressed during presentation of the site plan.

Pat Rudicell, 505 Belrose Avenue, expressed his support of the rezoning and the proposed amendment to the boundary of the Olde Towne Daphne District Map requested by City Council to address resident concerns regarding the encroachment of commercial development onto Sixth Street. Chairman closed public participation and for a motion.

A **Motion** was made by Mr. Scott and **Seconded** by Mr. Prescott ***to set forth a favorable recommendation to City Council to amend the boundary of the Olde Towne Daphne District to include a zero-point three-nine acre site northwest of Main Street and Belrose Avenue. There was no discussion on the motion. The Motion carried unanimously.***

A ***Motion*** was made by Mr. Scott and ***Seconded*** by Mr. Prescott ***to set forth a favorable recommendation to the City Council to rezone a zero-point three-nine acre site from R-2, Medium Density Residential, to B-3, Professional Business, for Fortuna Investments, L.L.C. (Belrose North). There was no discussion on the motion. The Motion carried unanimously.***

A ***Motion*** was made by Mr. Scott and ***Seconded*** by Mr. Prescott ***to set forth a favorable recommendation to the City Council to rezone a zero-point four-zero acre site from B-1, Local Business, to MU, Mixed Use, for Fortuna Investments, L.L.C. (Belrose South). There was no discussion on the motion. The Motion carried unanimously.***

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.

Mr. Dungan stated no report.

The next order of business is commissioner's comments.

None presented.

The next order of business is director's comments.

None presented.

There being no further business, the meeting was adjourned at 5:31 p.m.

Respectfully submitted by:

Jan Vallecillo, Planning Coordinator

Approved: June 27, 2019

Marybeth Bergin, Chairman

Accepted by:

Chairman, Daphne Utilities

DAPHNE UTILITIES

WATER • NATURAL GAS • SEWER

APPROVED MINUTES

Utilities Board Meeting

Council Chambers, Daphne City Hall ◆ May 29, 2019 ◆ 5:00 p.m.

I. Call to Order

The regular May 2019 Board meeting for the Utilities Board of the City of Daphne was held on May 29, 2019 at 5:01 p.m. in the Council Chambers at Daphne City Hall and called to order by Chairman Randy Fry, followed by the Roll Call:

II. Roll Call

Members Present:	Randy Fry, Chairman Selena Vaughn, Secretary/Treasurer Billy Mayhand, Vice Chairman Mayor Dane Haygood, Board Member
Members Absent:	Robin LeJeune, Board Member
Others Present:	Jerry Speegle – Board Attorney Danny Lyndall – General Manager Bobby Purvis – Operations Manager Drew Klumpp – Administrative Services Manager Teresa Logiotatos – Finance Manager Lori May-Wilson – Executive Assistant Melinda Immel – Volkert & Associates Ray Moore – HMR
Others Absent:	Samantha Coppels – Communications Manager Joe Asarisi – Asarisi & Associates

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 April 24, 2019

The Chairman requested any additions, corrections, or deletions for the submitted minutes for the April 24, 2019 Utilities Board meeting.

With no additions, deletions, or corrections, the Chairman declared that the submitted April 24th minutes would stand approved.

V. OLD BUSINESS –

A. Capacity Fees for Daphne Sports Complex

Danny Lyndall pointed out the letter in the board book received from the bond trustees and asked Jerry Speegle to expound upon the letter. Mr. Speegle advised that it was not feasible to go through a proxy solicitation from the bond holders but he has reached out to Hand Arendall, our bond counsel, for an opinion on the issue. He stated that the request had been delivered for many weeks to the Attorney General but has not heard anything as of yet.

He also advised that a conference call set for June 4th with ADEM and BayKeeper to review ADEM's comments and additional comments from BayKeeper to get the consent decree in final form and he would keep the Board informed.

VI. NEW BUSINESS –

A. NONE

VII. BOARD ATTORNEY'S REPORT

Mr. Speegle had nothing to add to the submitted report.

VIII. FINANCIAL REPORT

Rebecca Williamson reviewed the April 2019 financials for the Board, noting the increase for total assets and inventory, net income and total amount of checks written for the month of April. She offered to answer any questions.

Danny Lyndall advised that as a result of the work sessions, it was suggested to condense the financial review in order to respect the Board's time and answer any questions the Board might have.

IX. GENERAL MANAGER'S REPORT

A. GM Report

Danny Lyndall gave an update on the Litter Gitter Osprey Initiative, detailing and explaining the installation location. He advised that the grant available for this project expires next week, noting budgeted funds are available, and requested any objections with moving forward with this favorable project for a period of one year to be reassessed after the first year.

After answering questions from the Board, Chairman Fry confirmed to move forward with the project.

Mr. Lyndall recapped the Baldwin County Commission Public Forum with Sewer Providers event and reviewed the Daphne Utilities Annual Report Wastewater System handout for the Board.

B. Operations Report

Bobby Purvis gave an update on many projects taking place: Meadow Circle tank renovations, WRF construction, lift station projects. He and Mr. Lyndall also told of a recent incident involving manhole monitors and a recent sso.

C. Engineering & Consulting Reports

Melinda Immel with Volkert advised the Board that the Brentwood/Meadow Circle tank will begin filling with water and back on line soon. She had nothing further to add to her report.

Ray Moore with GMC had nothing further to add to his report.

X. BOARD ACTION – None

XI. PUBLIC PARTICIPATION – the Chairman invited participants to address the Board at 5:26pm; with no participants, the Chairman closed Public Participation at 5:26pm.

XII. BOARD COMMENTS – Mayor Haygood complimented the Annual Report (handout); Mr. Mayhand apologized for missing the work session meetings and appreciated all the hard work. Chairman Fry thanked those attending the meeting and appreciated the work session retreats.

XIII. ADJOURNMENT

MOTION by Selena Vaughn to adjourn the meeting.

The meeting adjourned at 5:29 pm.

Preceding minutes submitted to the Daphne Utilities Board by:

Lori Wilson

Lori Wilson, Executive Assistant, Daphne Utilities

City of Daphne
Event Permit Application

Date of Application: 6/27/19 Permit Requested: ■ Event/Fundraiser ■ Parade/Run ☐ Band

Contact Information

Organization Name: Daphne High School

Contact Name: Renee Cheatham/Kat Robinson E-mail Address: rsmoorer@bcbe.org/ksrobinson@bcbe.org

Address: 9300 Champions Way, Daphne, AL 36526
Street / P.O. Box City/State/Zip Code

Primary Phone Number: (251) 680-8174 Secondary: (318) 201-9676

Event Information

Event Name: DHS Homecoming Parade & Pep Rally Event Date: 9/26/19

Event Location: Daphne Civic Center # Participants/Vehicles: 35 entries

Start Time: 6:00 Stop Time: 6:45 Assembly Time: 5:00
Parades/Runs Only

Special Requests: As in years past, we would like to have a pep rally immediately after the parade, either at Patriots Point or the Library Courtyard. Road Closures Requested: ■ Yes ☐ No

Special Instructions

Approval: Internal Use Only

Date Routed: 7/9/19

Fire Dept: James W Lobb

Police Dept: David Carpenter

Public Works:

Parks & Recreation:
Only required if event interrupts traffic near Daphne parks

Not valid unless stamped "Approved"

For Special Event/Band Permits:

Council Member: _____
District # Signature

For Parade/Run Permits & Use of City Grounds:

City Council: _____
Date of Approval

Parade/Run Permits ONLY

☐ Fee Paid: $ _____ ☐ N/A ☐ Waived

☐ Insurance Filed ☐ N/A

Route Selection: ☐ 1 ☐ 2 ☐ 3 ☐ 4

MEMORANDUM

To: Office of the City Clerk

From: Adrienne D. Jones
Community Development Director

Subject: Revision to the Official City of Daphne Zoning Map

Date: July 1, 2019

At the, June 28, 2019, regular meeting of the City of Daphne Planning Commission, seven members were present. The motion carried unanimously to set forth a ***favorable recommendation*** of acceptance of the above-mentioned revision to the zoning map containing annexation, zoning changes and street acceptance that were approved between February and May 2019.

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

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

Thank you,
ADJ/jv

cc: file

attachment(s)

1. Zoning Map Planning Report (Copy Attached)
2. Zoning Map (Display - Posted in Council Chambers)

FILE
07/01/19
9:50am

THE OFFICIAL DAPHNE ZONING MAP

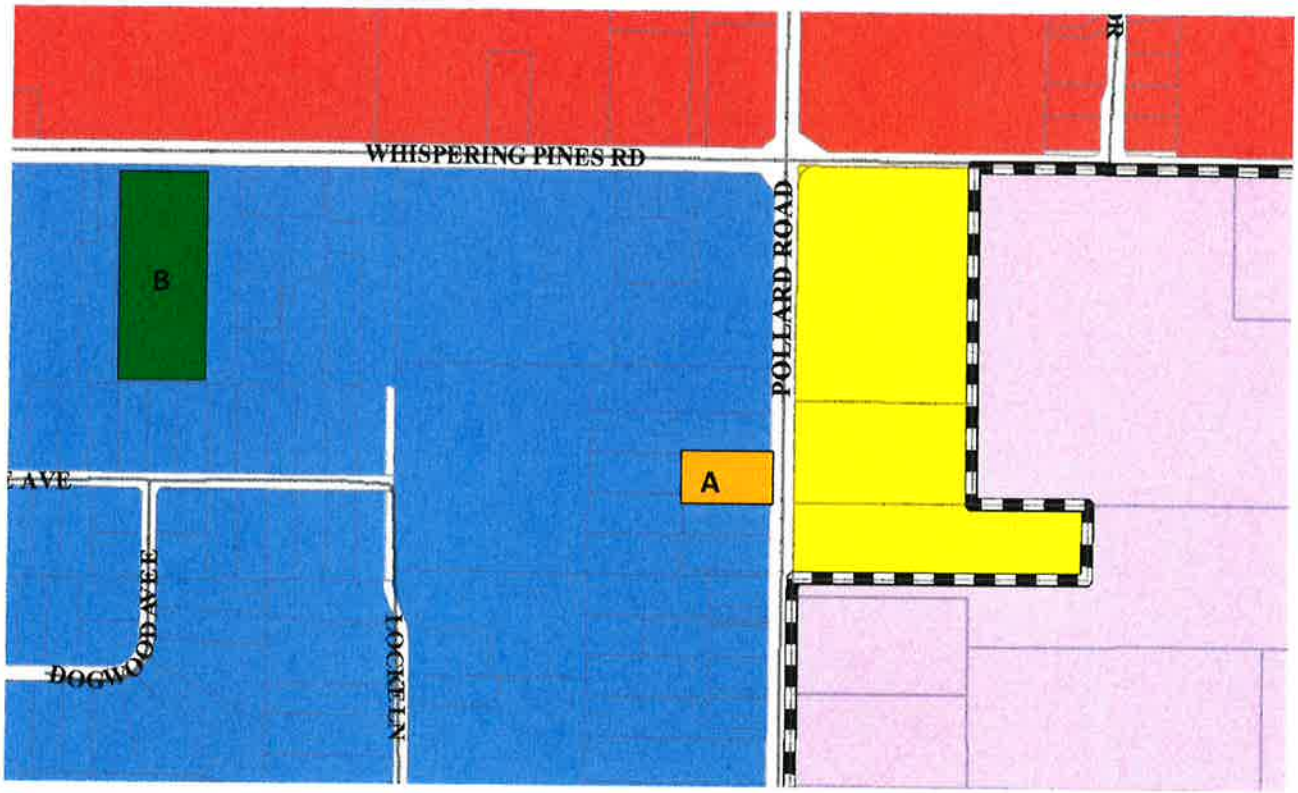
New Zoning Map Edits

Between February and May of 2019, the Daphne City Council approved two ordinances to rezone property within the corporate limits.

The Official Daphne Zoning Map has been updated to include each zoning change.

Staff Recommendation

Staff recommends that on June 27th the Daphne Planning Commission will send forth a favorable recommendation for Council's approval of the amended map.

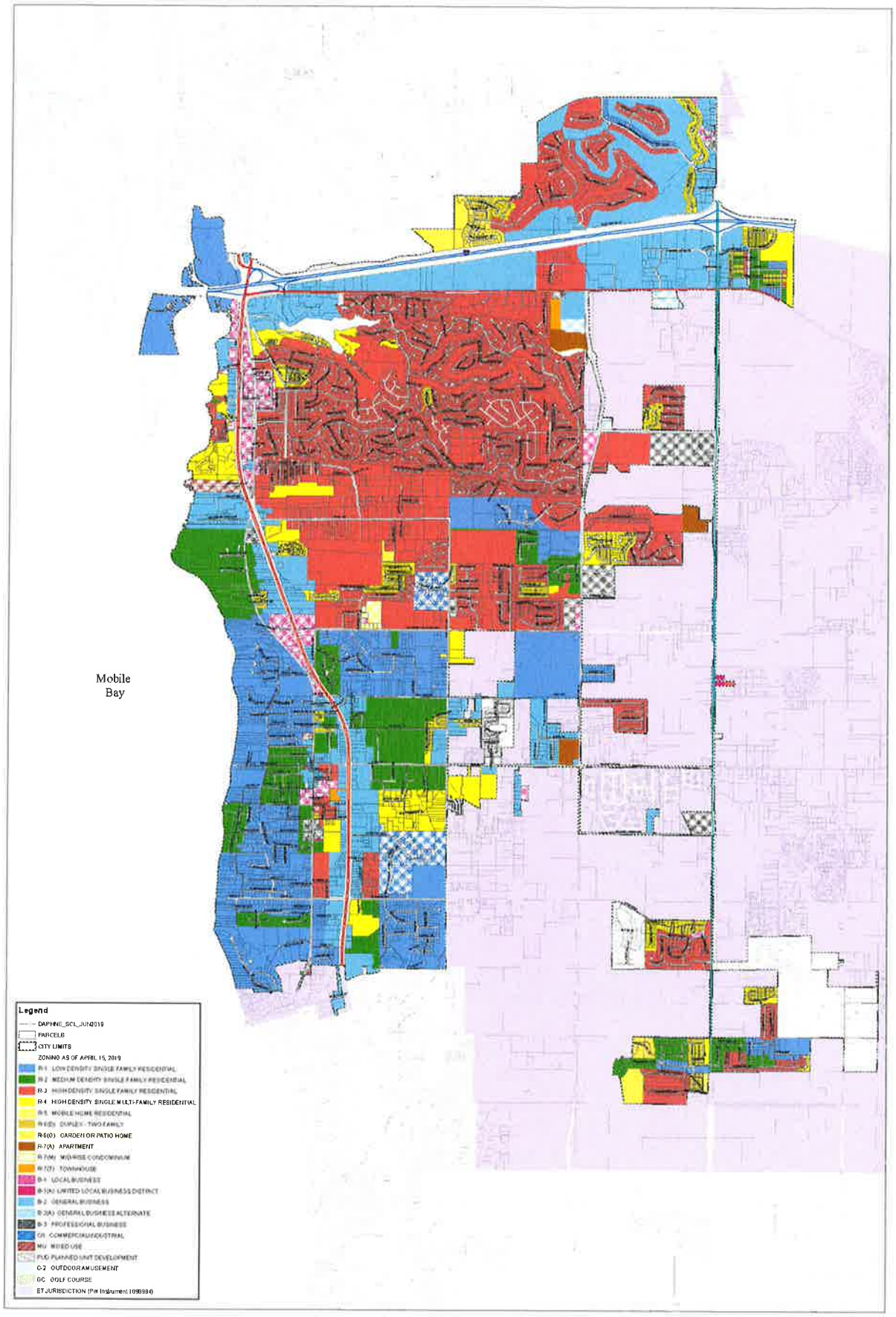


Zoning Map Excerpt—Updates Only

Annexation by Council Action	**Council Approval Date**	**Council Action Ordinance #**		**Property Size (Acres)**
n/a				
Prezoning	**Council Approval Date**	**Ordinance #**		**Property Size (Acres)**
n/a				
Rezoning or Prezoning Petitions	**Council Approval Date**	**Ordinance #**	**Old/New Zoning Classification**	**Property Size (Acres)**
A. Cynthia Pierce	03/04/19	2019-11	R-1 to R-6(G)	0.89 ac
B. T H Tanglewood 2018, LLC	03/04/19	2019-12	R-1 to R-2	4.71 ac

Updates from February 1 through May 31, 2019

City of Daphne Official Zoning Map



1 inch = 1,000 feet

0 0.25 0.5 1 Miles

CITY OF DAPHNE
RESOLUTION 2019 - 48

A Resolution Declaring Certain Property Surplus and Authorizing the Mayor to Dispose of Such Property

WHEREAS, the Management of the City of Daphne have determined that the item listed below is no longer required for public or municipal purposes; and

WHEREAS, the items listed below are recommended for disposal.

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

1. The property listed below is hereby declared to be surplus property; and

DEPT	EQ/VEH/#	DESCRIPTION	VIN/SN
FD	E5 /193 / 832	1993 EMER PROTECTOR TRK	4ENRAAA85P1002510

2. The Mayor is authorized to advertise and accept bids through Govdeals.com as Contracted or donate such surplus property; and

3. If said property is sold the Mayor is authorized to deposit any and all proceeds to the appropriate City Fund. The Mayor is further authorized to direct the disposition of any property which is not claimed by any bidder and sign all necessary documents.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ day of _____, 2019.

_____
Dane Haygood, Mayor

ATTEST:

_____
Candace G. Antinarella, City Clerk

CITY OF DAPHNE
RESOLUTION 2019-49

REVISIONS TO CITY OF DAPHNE STREET MAP

WHEREAS, the Planning Commission of the City of Daphne, Alabama at their regular meeting held on June 28, 2019, approved a favorable recommendation to the City Council of the City of Daphne, Alabama for a revision to the City of Daphne Street Map as presented at said meeting; and

WHEREAS, said revision to street map is necessary due to additional streets being added to and accepted by the City; and

WHEREAS, the City Council of the City of Daphne, Alabama, after due consideration, and upon the recommendation of the Planning Commission of the City of Daphne, believes it is in the best interest of the health, safety and welfare of the citizens of the City to accept the revisions to the City of Daphne Street Map; and

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

SECTION I: ADOPTION OF MAP

THAT the City of Daphne Street Map was considered by the City of Daphne Planning Commission on June 28, 2019, and having made a favorable recommendation to the City Council and said revised map being attached hereto as Exhibit "A" is hereby adopted as the official "City of Daphne Street Map."

SECTION II: REPEALER

THAT Resolution No. 2019-10 entitled "Revisions to City of Daphne Street Map" is hereby repealed in its entirety and any Resolution(s) or parts of Resolution(s) conflicting with the provisions of this Resolution are hereby repealed insofar as they conflict.

SECTION III: EFFECTIVE DATE

THAT This Resolution shall take effect and be in force from and after the date of its approval by the City Council of the City of Daphne, Alabama.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA ON THIS THE _____ DAY OF _____, 2019.

_____
Dane Haygood, Mayor

ATTEST:

_____
Candace G. Antinarella, City Clerk

MEMORANDUM

To: Office of the City Clerk

From: Adrienne D. Jones,
Community Development Director

Subject: Revision to the Official City of Daphne Street Map

Date: July 1,2019

At the, June 28, 2019, regular meeting of the City of Daphne Planning Commission, seven members were present. The motion carried unanimously to set forth a ***favorable recommendation*** of acceptance of the above-mentioned revision to the street map containing codifications that were approved between February and May 2019.

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

Upon receipt of said documentation, please prepare a resolution for placement on the City Council agenda of Monday, July 15, 2019.

Thank you,
ADJ/jv

cc: file

attachment(s)

1. Street Map Planning Report (Copy Attached)
2. Street Map (Display - Posted in Council Chambers)

FILE
07/01/19
9:50am

THE OFFICIAL DAPHNE STREET MAP

New Street Map Edits

Between February and May of 2019, the Daphne City Council approved four Street Acceptance Resolutions. By doing so, the city assumed responsibility for 2.03 miles of streets for public use and maintenance in addition to maintenance of associated drainage structures within the rights of way.

Street Acceptances	Approved by Council	Council Resolution #	Total Linear Feet	Total Miles
Blackstone Lakes Subdivision	03/18/19	2019-17	7, 725.00	1.463
Oldfield Subdivision Phase 4	04/15/19	2019-32	2,203.18	0.417
Pollard Park Commercial Subdivision	05/13/19	2019-35	346.80	0.0655
HSC Johnson Road, LLC Subdivision	05/13/19	2019-36	470.00	0.089

The Official Daphne Street Map has been updated to include each of the following streets:

Blackstone Lakes Subdivision (7725 lf or 1.46 miles)

Elton Street, 350 linear feet
Swan Point Road, 817 linear feet
Slater Mill Road, 2479 linear feet
Loring Circle, 136 linear feet
Margrave Circle, 159 linear feet
Volterra Avenue, 3608 linear feet
Bellaton Avenue, 176 linear feet

OLDFIELD PHASE 4 (2203 lf or 0.417 miles)

Cumbria Drive, 287.84 linear feet
Avernus Loop, 606.49 linear feet
Songbird Drive, 1308 linear feet

HSC Johnson Road, LLC Subdivision (470.00 lf or 0.089 miles)

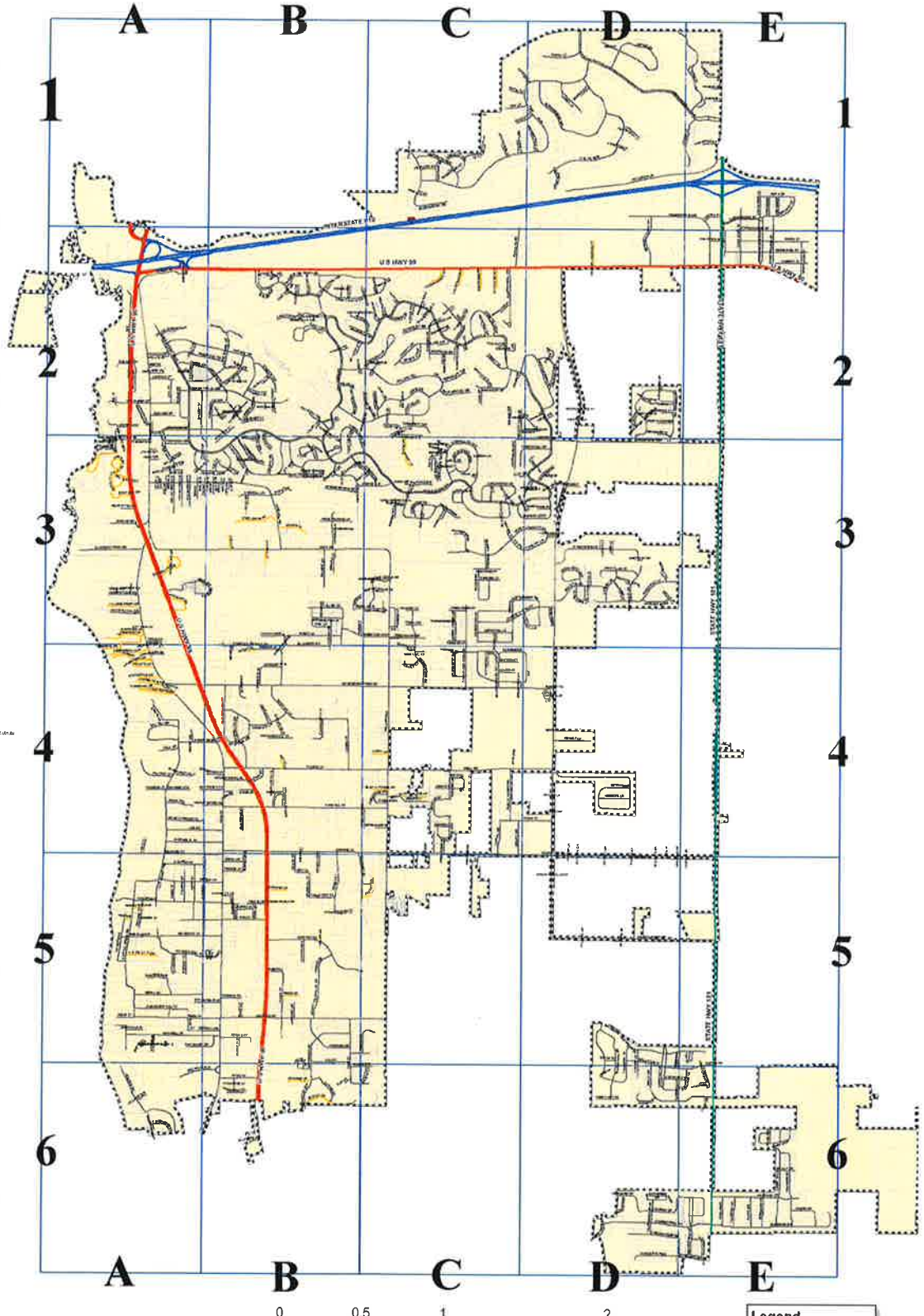
Adams Avenue, 470.00 lf (previously private)

Pollard Park Commercial Subdivision (346.8 lf or 0.065 miles)

Kettig Square, 346.8 linear feet

Staff Recommendation *Staff recommends that on June 27th the Daphne Planning Commission set forth a motion for Council's approval of the updated map.*

City of Daphne Street Map



The information contained on the data developed 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 251-626-1700

Legend

- INTERSTATE
- US HIGHWAYS
- STATE HIGHWAYS
- STREETS
- PRIVATE ACCESS
- PARCELS
- GRID
- CITY LIMITS

CITY OF DAPHNE
ORDINANCE 2019-30

Additional Appropriation: Corte/Austin Road Improvements
Phase 1 and 2

WHEREAS, Ordinance 2018-35 approved and adopted the Fiscal Year 2019 Budget on **October 1,** 2018; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2019 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2019 budget; and

WHEREAS, the City of Daphne is an incorporated municipality in Baldwin County and has experienced significant growth to the southeast that is currently served by County Road 13 and State Road 181; and

WHEREAS, the City of Daphne has taken an active role in transportation planning and improvements along these corridors and has identified a need for an additional east-west arterial connecting County Road 13 and State Road 181 with the ultimate objective to connect to U.S. Highway 98 via Johnson Road; and

WHEREAS, The Corte/Austin Road Improvements Phase 1 and 2 bids have been received and staff has reviewed the bids and determined that the low bid of Phase 1-$834,627.05 and Phase 2-$351,919.95 were reasonable; and

WHEREAS, total original project cost for Phase 1 and 2 was $1,362,711 *($1,186,547 + Engineering fees (CE&I)-$176,164*) with $400,000 funding available from the Four and Seven Cent Gas Tax Funds and $200,000 being provided by the Baldwin County Commission as approved in the FY2018 Budget*;* and

WHEREAS, The City of Daphne appropriated $58,500 in Ordinance 2017-16 for survey, design and ROW mapping for services provided by Dewberry Engineers Inc. and $5,800 in Ordinance 2017-72 for Geotechnical Material Testing, $405,000 in Ordinance 2018-32 for Right of Way Acquisition costs, and 762,711 in Ordinance 2018-39 and $35,522 in Ordinance 2019-04 for additional construction costs; however additional funding is needed for improvements to the project.

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

1. Funds in the amount of **$83,938** from the **General fund to be transferred to the Capital Reserve Fund** are appropriated and made a part of the Fiscal Year 2019 budget for additional construction costs for the Corte Road Improvements – Phase 1 and Phase 2.
2. The construction contract timeframe will be extended twenty-two (22) days.
3. The Mayor is hereby authorized to execute any and all documents required in order for the City of Daphne to participate in such project.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE ALABAMA this ____ day of _____, 2019.

_____
Dane Haygood, Mayor

Attest:

_____
Candace G. Antinarella, City Clerk

CITY OF DAPHNE
ORDINANCE 2019-31

Appropriation: Daphne Sports Complex Phase: Excess Engineering Fees for 120 Day Contract Extension – Goodwyn, Mills & Caywood, Inc.

WHEREAS, Ordinance 2018-35 approved and adopted the Fiscal Year 2019 Budget on October 1, 2018; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2019 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2019 budget; and

WHEREAS, initial engineering fees were previously appropriated in Ordinance 2017-18 and 2018-19**;** and

WHEREAS, excess engineering services were performed for the Daphne Sports Complex Phase 2 & 3 to improve the plans and accommodate changes; and

WHEREAS, additional monies in the amount of $106,622 were appropriated in Ord 2018-26, $11,978 in Ord 2019-24 for February 2019 engineering fees, 18,511 in Ordinance 2019-28 for March – April 2019 engineering fees, and an additional appropriation in the amount of $6,285 is needed for May 2019 engineering services performed during the 120 day contract extension timeframe: February, March, April, and May 2019.

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

1). Funds in the amount of **$6,285 from the General Fund and transferred to the Capital Reserve Fund** are appropriated and made a part of the Fiscal Year 2019 budget for the additional cost for engineering services that were performed for the Daphne Sports Complex Phase 3 during the 120 day contract extension timeframe to accommodate changes and completion of the project.

2). The Mayor is hereby authorized to execute any and all documents required in order for the City of Daphne to participate in such project.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ DAY OF_____, 2019.

_____
Dane Haygood, Mayor

ATTEST:

_____
Candace G. Antinarella, City Clerk

CITY OF DAPHNE
ORDINANCE 2019-32

Additional Appropriation: Engineering Services for Bayfront Streetscape and Parking

WHEREAS, Ordinance 2018-35 approved and adopted the Fiscal Year 2019 Budget on October 1, 2018; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2019 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2019 budget; and

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

WHEREAS, the Bayfront Streetscape and Parking Improvement project meets such criteria; and

WHEREAS, monies in the amount of $86,700 were previously appropriated for engineering services and letting of the bid for the Bayfront Streetscape and Parking in Ordinance 2018-03*;* and

WHEREAS, further additional engineering services in the amount of $10,000 are needed to complete the design engineering phase of the project.

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

1. Funds in the amount of **$10,000** from the **Lodging Tax Fund** are appropriated and made a part of the Fiscal Year 2019 budget for Streetscape and Parking Improvement project.
2. The Mayor is hereby authorized to execute any and all documents required in order for the City of Daphne to participate in such project.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE ALABAMA this ____ day of _____, 2019.

_____
Dane Haygood, Mayor

Attest:

_____
Candace G. Antinarella, City Clerk

CITY OF DAPHNE
ORDINANCE 2019-33

FIRE PREVENTION CODE FOR THE CITY OF DAPHNE

AN ORDINANCE TO REPEAL ORDINANCE NO. 2012-41 AND ADOPT THE 2018 INTERNATIONAL FIRE CODE WITH AMENDMENTS THERETO FOR THE CITY OF DAPHNE, ALABAMA.

WHEREAS, the 2018 edition of the International Fire Code, copyrighted by the International Code Council, with amendments thereto, has heretofore been on file in the Office of the City Clerk of the City of Daphne, Alabama; and

WHEREAS, the City Council of the City of Daphne has determined that it is in the best interest of the health, safety, and welfare of its citizens to adopt the 2018 edition of the International Fire Code, as amended herein.

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

SECTION 1. ADOPTION OF THE INTERNATIONAL FIRE CODE, EDITION 2018

A.
Section 101.1 shall be deleted in its entirety and replaced with the following:

101.1 Title. These regulations shall be known as the Fire Code of Daphne, hereinafter referred to as "this code."

B.
Section 103.1 shall be deleted in its entirety and replaced with the following:

103.1 General.

> Bureau of Fire Prevention. There is hereby established a department to be called the Bureau of Fire Prevention and the person in charge shall be known in this Code as the Fire Code Official, who shall be the Fire Marshal of the City of Daphne. The function of the department shall be the implementation, administration and enforcement of the provisions of this code and amendments.

C.
Section 103.2 Appointment of the Fire Code Official shall be deleted in its entirety.

D.
Section 105.6.32 shall be deleted in its entirety and replaced with the following:

105.6.32 Open Burning

No person shall kindle or maintain any bonfire or rubbish fire or authorize any such fire to be kindled or maintained without a permit or other proper authorization.

No waste materials, rubbish, trees, bushes or brush cleared for construction or demolition of buildings or structures shall be disposed of by burning on the premises or in the immediate vicinity by the owner, the contractor, or any other person, unless a permit or other proper authorization has been obtained to burn said waste materials in an approved waste burner/incinerator.

The permit for each approved waste burner/incinerator shall be $75.00.

E.
Section 105.7.1 shall be deleted in its entirety and replaced with the following:

105.7.1 Fixed Fire Extinguishing Systems Installation

No person shall engage in the business of installing fixed fire extinguishing systems without obtaining a permit from the Bureau of Fire Prevention.

No person shall install a fixed fire extinguishing system without obtaining a current City of Daphne business license.

No person shall be issued a permit to install fixed fire extinguishing equipment who does not possess a manufacturers certification for installation and servicing for the type system being installed and have a Certificate of Insurance, General Liability for $ 1,000,000 with the City of Daphne, Bureau of Fire Prevention, P.O. Box 400, Daphne AL. 36526 listed as a Certificate Holder.

Any modifications made to a fixed system including adding additional flow points will require an installation permit.

A complete plan/drawing of the system and the devices that are being protected shall be submitted before a permit is issued and a copy shall be placed in the control box.

The technician who actually performs the installation of the fixed fire extinguishing systems shall legibly sign and date the service tag verifying that all work was done in compliance with current NFPA standards.

The Fire Code Official shall require certain operational tests upon final inspection.

The permit fee for each fire extinguisher system installation shall be $75.00.

E.1.
Section 105.7.1.1 shall be deleted in its entirety and replaced with the following:

105.7.1.1 Servicing Fixed Fire Extinguishing Systems

No person shall engage in the business of servicing or inspecting fixed fire extinguishing systems without obtaining a permit from the Bureau of Fire Prevention. The permit is good only for that calendar year in which it is issued.

No person shall service or inspect a fixed fire extinguishing system without obtaining a current City of Daphne business license.

No person shall be issued a permit to service or inspect fixed fire extinguishing equipment who does not possess a manufacturers certification for installation and servicing for the type system being installed and have a Certificate of Insurance, General Liability for $ 1,000,000 with the City of Daphne, Bureau of Fire Prevention, P.O. Box 400, Daphne AL. 36526 listed as a Certificate Holder.

Any modifications made to a fixed system including adding additional flow points will require an installation permit.

A complete plan/drawing of the system and the devices that are being protected shall be submitted before a permit is issued and a copy shall be placed in the control box.

The technician who actually performs the work of servicing or inspecting the fixed fire extinguishing systems shall legibly sign and date the service tag verifying that all work was done in compliance with current NFPA standards.

A permit is not required for follow up inspection or service, if a permit was received for that system in the same year. However a report shall be furnished to the Bureau of Fire Prevention upon completion of work being done.

The permit fee for servicing a fixed fire extinguisher system shall be $75.00.

F.
Section 105.7.7 shall be deleted in its entirety and replaced with the following:

105.7.7 Fire Alarm System Installation

No person shall install a fire alarm system without having the plans stamped by a licensed Engineer and reviewed by the Fire Code Official before commencing any part of the work. No person shall commence working on a fire alarm system without first obtaining a permit from the Bureau of Fire Prevention.

Stamped drawings from a licensed Engineer are required for any additions to an existing system.
There is accepted from the requirements of this Section installations in any building with single station detectors only.

Installer must possess a State Fire Alarm Permit issued by the State Fire Marshal's office.

Any person or entity who designs fire alarm systems must possess a State Fire Alarm Permit issued by the State Fire Marshal's office.

Licensed electricians may pull wire, mount ancillary equipment, and connect the main power to the control panel after a permit has been issued; but no one other than a qualified fire alarm installer shall be allowed to make any other connections inside the control panel.

Multi-Tenant Buildings. In multi-tenant buildings requiring automatic fire sprinkler systems, and where no fire alarm is required by Section 907, each tenant shall have at least one notification device (horn/strobe) to provide audible and visual notification upon activation of the listed sprinkler monitoring system.

Any multiple-family residential development that has a fire sprinkler system shall have a horn/strobe device located on the front side of the building visible from the roadway.

A certified fire sprinkler installer may install devices integral to the operation of the fire sprinkler system, but shall not make and connections to the fire alarm system.

Upon final inspection, the NFPA Fire Alarm System Record of Completion form must be properly filled out and submitted to the Fire Code Official and a fire alarm system test must be performed in the presence of the Fire Code Official.

All fire alarm circuit disconnecting means shall have a red marking and shall be identified as "Fire Alarm".

Fire Alarm Control Units (FACU) will be located at the entrance of the building or provide an annunciator panel at the entrance and also indicate the location of the main panel.

The permit fee for installing a fire alarm system shall be $75.00.

F.1.
Section 105.7.7.1 shall be deleted in its entirety and replaced with the following:

105.7.7.1 Servicing Fire Alarm Systems

No person shall engage in the business of servicing fire alarm systems without obtaining a permit from the Fire Code Official. The permit is good only for that calendar year of which it is issued. There is exception from the requirements of Section 105.7.7.1 installations of the following types:

(1) One and two family dwellings
(2) Any buildings with single station detectors only.

(3) Owners of buildings may maintain their own systems as long as their maintenance person is certified by the manufacturer of the installed equipment or has National Institute for Certification in Engineering Technologies (NICET) level II in fire alarms.

No person shall be issued a permit to modify, repair, test or service fire alarm systems who does not possess a State of Alabama Fire Alarm Permit issued by the State Fire Marshal's office.

A service tag or sticker shall be required to be installed by the permitted alarm servicing individual or company at the control panel of each fire alarm system, stating the company's name, address, phone number, name of the technician performing the service, date and the type of service performed.

The permit fee to service a fire alarm system shall be $75.00.

G.
Section 105.7.8 shall be deleted in its entirety and replaced with the following:

105.7.8 Fire Pumps Installation

Any person who installs fire pumps must be licensed by the Alabama State Fire Marshal's Office and approved by the Fire Code Official.

No person shall install a fire pump without first obtaining a permit from the Bureau of Fire Prevention.

Installer must possess a current City of Daphne business license and have a Certificate of Insurance, General Liability for $1,000,000 with the City of Daphne, Bureau of Fire Prevention, P.O. Box 400, Daphne AL. 36526 listed as a Certificate Holder.

Installer must have fire pump plans reviewed by the Fire Code Official before commencing installation.

All testing of the fire pump shall comply with NFPA 25. The Fire Code Official may require certain operational test upon final inspection.

The permit fee to install a fire pump shall be $75.00.

G.1.
Section 105.7.8.1 shall be added to read as follows:

105.7.8.1 Servicing Fire Pumps

Any person who services, test or inspects fire pumps must be licensed by the Alabama State Fire Marshal's Office and approved by the Fire Code Official.
No person shall service, test or inspect a fire pump without first obtaining a permit from the Bureau of Fire Prevention.

The Person/Business who obtains the permit must possess a current City of Daphne business license and have a Certificate of Insurance, General Liability for $1,000,000 with the City of Daphne, Bureau of Fire Prevention, P.O. Box 400, Daphne AL. 36526 listed as a Certificate Holder

The permit fee to service, test or inspect a fire pump shall be $75.00.

H.
Section 105.7.26 shall be added to read as follows:

105.7.26 Portable Fire Extinguisher Service

No person shall engage in the business of servicing portable fire extinguishers without obtaining a permit from the Bureau of Fire Prevention. The permit is good only for that calendar year of which it is issued.

No person shall service portable fire extinguishers without obtaining a current City of Daphne business license.

No person shall be issued a permit to service a portable fire extinguisher that does not possess a manufactures service manual for the type of extinguisher being serviced, and have the proper training. They shall have a Certificate of Insurance, General Liability for $1,000,000 with the City of Daphne, Bureau of Fire Prevention, P.O. Box 400 Daphne, AL 36526 listed as a Certificate Holder.

The technician who actually performs the work of servicing the portable fire extinguishers shall legibly sign and date the service tag verifying that all work was done in compliance with current NFPA standards.

The annual permit fee for portable fire extinguisher service shall be $75.00.

I.
Section 105.7.27 shall be added to read as follows:

105.7.27 Install Automatic Fire Sprinkler Systems

No person shall install, modify or repair an automatic fire sprinkler system without obtaining a permit from the Bureau of Fire Prevention.

Any person who installs or maintains fire sprinkler systems (hereinafter called in Section 402.35 “installer”) must be certified by the Alabama State Fire Marshal’s Office, and have a Certificate of Insurance, General Liability for $1,000,000 with the City of Daphne,

Bureau of Fire Prevention, P.O. Box 400, Daphne AL. 36526 listed as a Certificate Holder.

Installer must possess a current City of Daphne business license.

Installer must have sprinkler plans stamped by a licensed Engineer and must be reviewed by the Fire Code Official before commencing installation.

Upon final inspection, the National Fire Protection Association (NFPA) Contractor's Material and Test Certificate for Aboveground Piping must be properly completed and submitted to the Bureau of Fire Prevention.

The Fire Code Official shall be present during the final inspection of the sprinkler system.

Relocating more than three (3) sprinkler heads or adding any heads in an existing fire sprinkler system shall require a permit from the Bureau of Fire Prevention and stamped drawings from an Engineer.

The permit fee for each automatic fire sprinkler system installation shall be $75.00.

I.1.
Section 105.7.27.1 shall be added to read as follows:

105.7.27.1 Servicing Fire Sprinkler Systems

No person shall service or inspect an automatic fire sprinkler system without obtaining a permit from the Bureau of Fire Prevention.

Any person who services or maintains fire sprinkler systems must be certified by the Alabama State Fire Marshal's Office, and have a Certificate of Insurance, General Liability for $1,000,000 with the City of Daphne, Bureau of Fire Prevention, P.O. Box 400, Daphne AL. 36526 listed as a Certificate Holder.

No person shall perform maintenance or testing on fire sprinkler systems unless said person is certified by the Alabama State Fire Marshal's office and approved by the Fire Code Official.

Installer must possess a current City of Daphne business license.

The permit fee for servicing a fire sprinkler system shall be $75.00.

The permit shall be valid only for the calendar year in which it is issued.

J.
Section 105.7.28 shall be added to read as follows:

105.7.28 Additional Permits

All permit requirements shall be followed.

Where work for which a permit is required by this code commences prior to obtaining said permit, the permit fee herein specified shall be doubled plus $100.

It shall be required that a copy of all annual or semi-annual inspection reports be submitted to the Bureau of Fire Prevention with any and all deficiencies clearly noted.

All checks and money orders shall be made out to the City of Daphne.

All certifications whether they are manufacture or NICET must be current and not have expired.

General requirements for a permit are as follows:

1. Current city of Daphne Business license.
2. Current one million dollar ($1,000,000) general liability insurance policy with the City of Daphne listed as a certificate holder, P.O. Box 400 Daphne AL 36526.
3. Approved by the Fire Code Official.
4. Current Approved Training Certificates.
5. Permit fee of $75.00

K.
Section 110.4 shall be deleted in its entirety and replaced with the following:

110.4 Violation penalties

Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, installs, alters, repairs, or does work in violation of the approved construction documents or any directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a Fire Code Violation, punishable by a fine as determined by the Municipal Court Judge or by imprisonment as determined by the Municipal Court Judge, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense. See Section 105.7.28 for applicable exceptions.

K.1.
Section 112.4 shall be deleted in its entirety and replaced with the following:

112.4 Failure to comply

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable and subject to penalties as determined by the Municipal Court Judge.

L.
Section 307.2.1 shall be deleted in its entirety and replaced with the following:

307.2.1 Authorization

Open burning shall only be allowed once a calendar month per address/ location during the months that outdoor burning is allowed by the State Air Quality Agencies. A permit must be obtained before any burning starts and all provisions of the burn permit shall be followed**.**

M.
Section 307.4.1 shall be deleted in its entirety and replaced with the following:

307.4.1 Bonfires

A bonfire shall not be conducted within 50 feet (15 240 mm) of a structure or combustible material unless the fire is contained in a barbecue pit. Conditions which could cause a fire to spread within 50 feet (15 240 mm) of a structure shall be eliminated prior to ignition. Bonfire permits shall only be issued to organizations (Churches, Schools, and other Civic Groups) not to private individuals.

N.
Section 503.2.5 shall be deleted in its entirety and replaced with the following:

503.2.5 Dead ends

Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus per the provisions in accordance with Appendix D, Table D103.1. and figure D103.4. A Geo grid type material may be used for the turnaround but must be outlined along the edges of the area to be used.

O.
That portion of Section 505.1 of the International Fire Code that reads "Numbers shall be a minimum of 4 inches high with a minimum stroke width of 0.5 inches" shall be struck and replaced with "numbers shall be a minimum of 5 inches high with a minimum stroke width of 0.5 inches."

P.
Section 506.1 shall be deleted in its entirety and replaced with the following:

506.1 Key boxes

Key boxes shall be installed in all buildings having two or more units/suites, or having an automatic fire sprinkler system, fire alarm system or any alarm that generates a fire department response. The Fire Code Official shall also have the authority to require a key box to be installed in an accessible location where access to or within a structure or area is difficult because of security. The key box shall be of and approved type and shall contain keys to gain necessary access as required by the Fire Code Official.

P.1.
Section 506.1.1 shall be deleted in its entirety and replaced with the following:

506.1.1 Locks

An approved lock shall be installed on gates or similar barriers where required by the Fire Code Official. If gate access is required by the Fire Code Official, it shall be by a key switch of an approved type.

Q.
Section 507.5.1.1 shall be deleted in its entirety and replaced with the following:

507.5.1.1 Hydrant for Fire Sprinkler Systems and Standpipe Systems

Building equipped with a standpipe or fire sprinkler system installed in accordance with Chapter 9 shall have a fire hydrant within 100 feet of the FDC (fire department connection).

R.
Section 508.5.7 shall be added to read as follows:

508.5.7 Hydrant Outlet Location

Hydrants shall be installed with the center of the outlet cap nut at least 18 inches above the adjoining final grade.

S.
Section 905.3.1 shall be deleted in its entirety and replaced with the following:

905.3.1 Building height

Class III standpipe systems shall be installed throughout buildings where the floor level of the highest story is located more than 30 feet (9144 mm) above the lowest level of the fire department vehicle access, or where the floor level of the lowest story is located more than 30 feet (9144 mm) below the highest level of fire department vehicle access. A class I, Manual Wet, standpipe system shall be installed in building where the floor level is of the highest story is located more than 20 feet above the lowest level of the fire department vehicle access.

T. Appendices

The following appendices to the International Fire Code, 2018 Edition, are hereby adopted as part of the Daphne Fire Code:

Appendix A, Board of Appeals
Appendix B, Fire Flow Requirements for Buildings
Appendix C, Fire Hydrant Locations and Distribution
Appendix D, Fire Apparatus Access Roads

Appendix I, Fire Protection Systems-Noncompliant Conditions
Appendix N, Indoor Trade Shows and Exhibitions

SECTION 2: ORDINANCES REPEALED

Ordinance 2012-41 shall be repealed in its entirety and replaced with the provisions of this Ordinance. All other ordinances and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 3: SEVERABILITY

If any provision of this Ordinance is held to be invalid or unenforceable for any reason, such holding shall not in any way affect the remaining portions hereof, which shall remain in full force and effect.

SECTION 4: EFFECTIVE DATE

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

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE THIS _____ DAY OF _____ 2019.

_____
Dane Haygood, Mayor
Date & Time Signed: _____

ATTEST:

_____
Candace G. Antinarella, City Clerk

CITY OF DAPHNE
ORDINANCE 2019-34

AN ORDINANCE AMENDING THE CITY OF DAPHNE, ALABAMA LAND USE AND DEVELOPMENT ORDINANCE 2011-54, AS ADOPTED BY THE CITY COUNCIL ON JULY 18, 2011

REVISION TO APPENDIX I OF THE CITY OF DAPHNE OLDE TOWNE DISTRICT MAP

WHEREAS, the Planning Commission of the City of Daphne, at their regular meeting held on May 23, 2019, favorably recommended certain amendments to the Olde Towne District Map approved and adopted by Ordinance No. 2011-54 referenced in Appendix I "Exhibit B" of the Daphne Land Use & Development Ordinance; and

WHEREAS, said amendments are necessary due to various rezoning and annexation requests, which have been approved since the adoption of Ordinance No. 2011-54 and Ordinance No. 2003-05, 2005-12, 2008-04, 2009-66 and 2016-08; and

WHEREAS, due notice of said proposed amendments to the Olde Towne District Map 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 Olde Towne District Map amendments was held by the City Council July 15, 2019; and

WHEREAS, the City Council of the City of Daphne after due consideration believe the amendment to said Olde Towne District Map as requested by the Planning Commission are proper and in the best interest of the City.

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

SECTION I. OLDE TOWNE DISTRICT MAP

The Olde Towne District Map referenced hereto as Exhibit "A" attached to this Ordinance shall be the official boundary map for the Olde Towne District of the City of Daphne, Alabama.

SECTION II. AMENDMENT

Ordinances 2011-54, 2003-05, 2005-12, 2008-04, 2009-66 and 2016-08 and any other amendments to these Ordinances are hereby amended to the extent that the previous Olde Towne District Map referenced in Land Use Ordinance Appendix I of Exhibit "B" and any amendment thereto, conflict with the Olde Towne District Map referenced as Exhibit "A".

SECTION III. REPEALER

Any Ordinance(s) or parts of Ordinance(s) conflicting with the provisions of this Ordinance are hereby repealed insofar as they conflict.

SECTION IV. EFFECTIVE DATE

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

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, ON THE _____ DAY _____, 2019.

_____
Dane Haygood,
Mayor

ATTEST:

_____
Candace G. Antinarella
City Clerk

MEMORANDUM

To: Office of the City Clerk

From: Adrienne D. Jones,
Community Development Director

Subject: Proposed Amendment to the Olde Towne Daphne District Map

Date: May 28, 2019

At the May 23, 2019, regular meeting of the City of Daphne Planning Commission, eight members were present. The motion carried unanimously to set forth a ***favorable recommendation*** of the above-mentioned amendment to the Olde Towne Daphne District Map.

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

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

Thank you,
ADJ/jv

cc: file

attachment(s)

1. Olde Towne Daphne District Map Planning Report (Copy Attached)

FILE
05/28/19
9:30am

OLDE TOWNE DAPHNE DISTRICT
PROPOSED MAP AMENDMENT

APPLICANT:
Fortuna Investments, LLC

APPLICATION:
Amendment to the Land Use & Development Ordinance, Official Olde Towne District Map

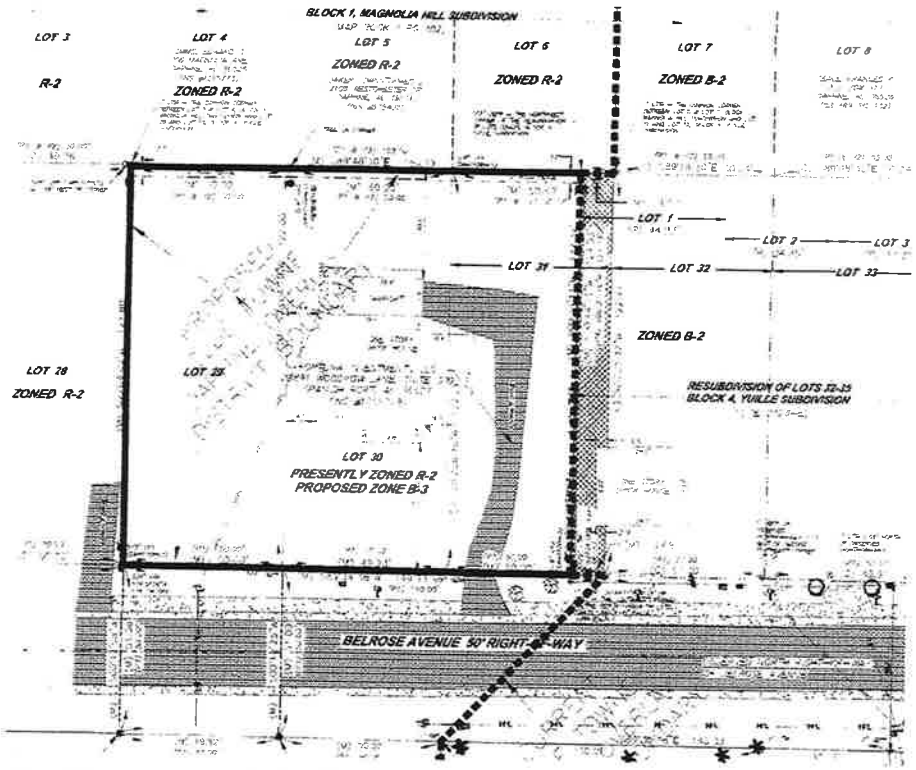
ZONING:
R-2, Medium Density Single Family Residential

LOCATION:
West of the intersection of Main Street and Belrose Avenue

APPLICABLE REGULATION:

3-6 OFFICIAL OLDE TOWNE DISTRICT MAP The Olde Towne District Map, Exhibit B, the latest edition, is hereby adopted and made a part of this Ordinance. This map shall be signed by the Mayor and attested by the City Clerk. It shall be filed in the office of the Zoning Administrator and/or Director of Community Development and the City Clerk to show thereon the date of adoption of said Ordinance.

RECOMMENDATION:
Approval



Proposed amendment to the Olde Towne Daphne District

Historical Background: *The Olde Towne Daphne District was established by Ordinance 2002-27 and amended by Ordinance 2003-05, 2005-12, 2008-04, 2009-66, 2016-08. In 2009, 3 lots of Block 3, Yuille Subdivision, Belrose Wharf (Lots 31, 32, 33) were incorporated into the district.*

Current Proposal: *The current petitioner proposes to amend the Olde Towne Daphne District Map to include 3 lots of Block 4, Yuille Subdivision, Belrose Wharf (Lots 29, 30, 31). There was a residence on site but it was recently demolished. The subject property is zoned R-2. The property to the southeast across Belrose Avenue, was annexed into District in 2009 and the rezoned from R-2 to B-1 (Local Business).*

The applicant proposes to rezone the subject property to B-3, Professional Office. Inclusion in the Olde Towne District is advantageous to the applicant because it allows reduced parking, landscaping, setback requirements, etc.

Like zoning amendments, annexation petitions and preliminary plat approvals, an amendment to the Olde Towne Daphne map must be approved by an affirmative vote of six (6) members.

Dewberry

Dewberry Engineers Inc
25353 Friendship Road
Daphne, AL 36526

251.990.9950
251.990.9910 fax
www.dewberry.com

April 23, 2019

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

RE: OLDE TOWNE DAPHNE OVERLAY DISTRICT
Boundary Revision Request

Dear Mrs. Jones:

The Olde Towne Daphne Overlay District borders the east line of property owned by Fortuna Investments, LLC. The property is located on the north side of Belrose Avenue approximately 250 feet west of Main Street. The legal description of the property is attached.

On behalf of the property owner, we are requesting the City of Daphne to extend the limits of the Olde Towne Daphne Overlay District to include the properties described in the attached legal description and as shown on the attached plat.

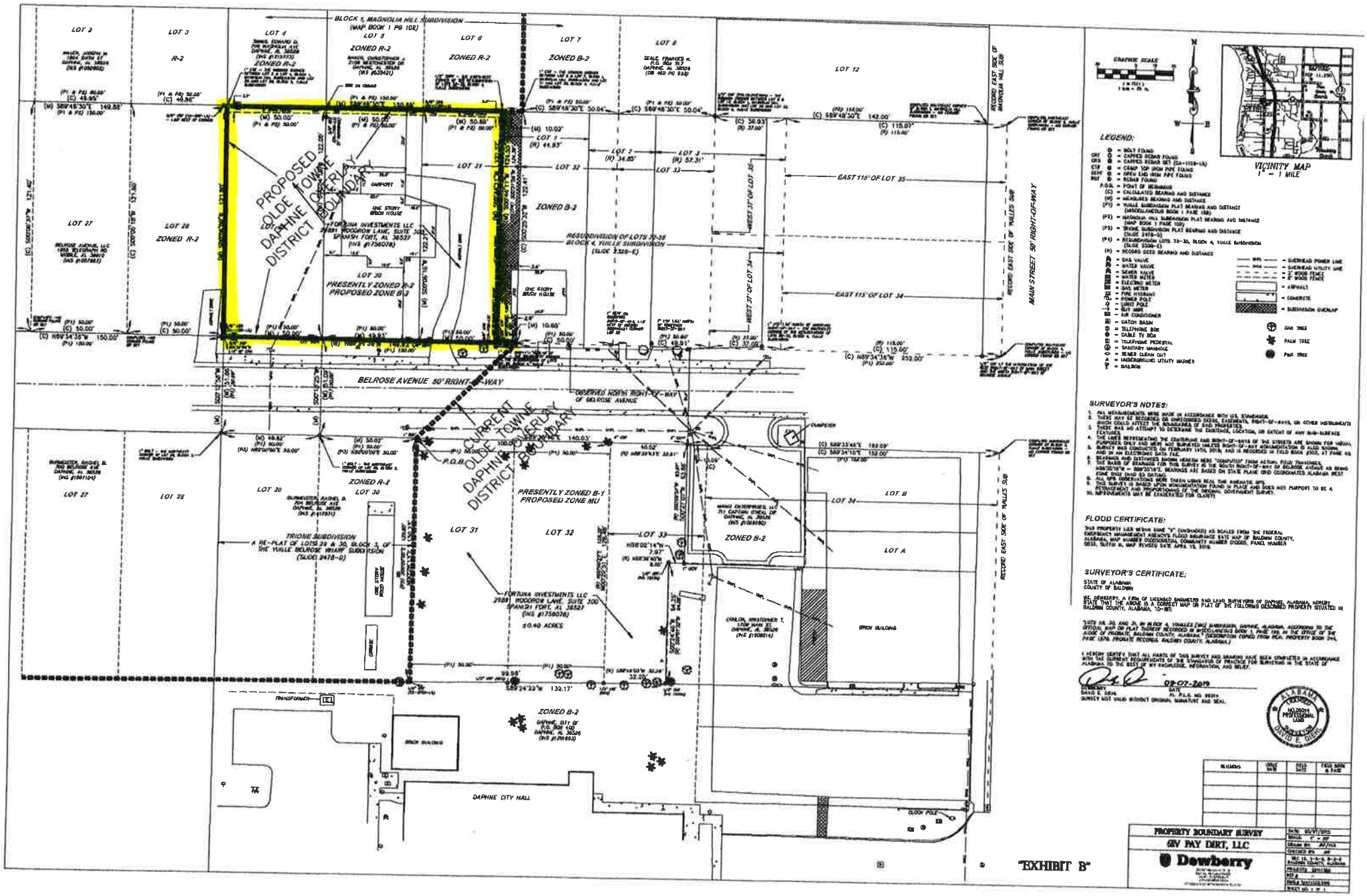
The property owner is also requesting, under separate cover, to rezone this property from R-2 to B-3 in order to build a professional office at this location. We believe the plans for this site are in keeping with the Olde Towne Daphne Overlay District and should be included as such.

We request to be placed on the agenda of the next regularly scheduled Planning Commission meeting for the consideration of this matter. We look forward to meeting with you prior to that meeting date to discuss any comments the City may have.

Sincerely,
Dewberry

Steven Pumphrey
Senior Planner

Cc: Belrose Overlay
File



GRAPHIC SCALE

VICINITY MAP
1" = 1 MILE

LEGEND:

- ○ = BOLT FOUND
- ○ = CAPPED REBAR FOUND
- ○ = CAPPED REBAR SET (CA-1338-LS)
- ○ = CRIMP TOP IRON PIPE FOUND
- ○ = OPEN END IRON PIPE FOUND
- ○ = REBAR FOUND
- P.O.B. = POINT OF BEGINNING
- (C) = CALCULATED BEARING AND DISTANCE
- (M) = MEASURED BEARING AND DISTANCE
- (P1) = YUILLE SUBDIVISION PLAT BEARING AND DISTANCE (MAP BOOK 1 PAGE 102)
- (P2) = MAGNOLIA HILL SUBDIVISION PLAT BEARING AND DISTANCE (MAP BOOK 1 PAGE 102)
- (P3) = TRIONE SUBDIVISION PLAT BEARING AND DISTANCE (SLIDE 2478-D)
- (P4) = RESUBDIVISION LOTS 29-30, BLOCK 4, YUILLE SUBDIVISION (SLIDE 2328-C)
- (R) = RECORD DEED BEARING AND DISTANCE
- GAS VALVE
- WATER VALVE
- SEWER VALVE
- WATER METER
- ELECTRIC METER
- GAS METER
- FIRE HYDRANT
- POWER POLE
- LIGHT POLE
- GUY WIRE
- AIR CONDITIONER
- CATCH BASIN
- TELEPHONE BOX
- CABLE TV BOX
- TELEPHONE PEDESTAL
- SANITARY MANHOLE
- SEWER CLEAN OUT
- UNDERGROUND UTILITY MARKER
- MAILBOX
- OHP = OVERHEAD POWER LINE
- OHU = OVERHEAD UTILITY LINE
- 6' WOOD FENCE
- 3' WOOD FENCE
- = ASPHALT
- = CONCRETE
- = SUBDIVISION OVERLAP
- OAK TREE
- PALM TREE
- PINE TREE

SURVEYOR'S NOTES:

1. ALL MEASUREMENTS WERE MADE IN ACCORDANCE WITH U.S. STANDARDS.
2. THERE MAY BE RECORDED OR UNRECORDED DEEDS, EASEMENTS, RIGHT-OF-WAYS, OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES OF SAID PROPERTIES.
3. THERE WAS NO ATTEMPT TO DETERMINE THE EXISTENCE, LOCATION, OR EXTENT OF ANY SUB-SURFACE FEATURES.
4. THE LINES REPRESENTING THE CENTERLINE AND RIGHT-OF-WAYS OF THE STREETS ARE SHOWN FOR VISUAL PURPOSES ONLY AND WERE NOT SURVEYED UNLESS RIGHT-OF-WAY MONUMENTATION IS ALSO SHOWN.
5. SURVEY WAS CONDUCTED ON FEBRUARY 14TH, 2019, AND IS RECORDED IN FIELD BOOK 2303, AT PAGE 48 AND IN ELECTRONIC DATA FILE.
6. BEARINGS AND DISTANCES SHOWN HEREON WERE "COMPUTED" FROM ACTUAL FIELD TRAVERSES. THE BASIS OF BEARINGS FOR THIS SURVEY IS THE SOUTH RIGHT-OF-WAY OF BELROSE AVENUE AS BEING N89°25'16"W — 599°35'16"E. BEARINGS ARE BASED ON STATE PLANE GRID COORDINATES ALABAMA WEST ZONE (NAD 83 DATUM).
7. ALL GPS OBSERVATIONS WERE TAKEN USING REAL TIME KINEMATIC GPS.
8. THIS SURVEY IS BASED ON MONUMENTATION FOUND IN PLACE AND DOES NOT PURPORT TO BE A RETRACEMENT AND APPORTIONMENT OF THE ORIGINAL GOVERNMENT SURVEY.
10. IMPROVEMENTS MAY BE CONSIDERED FOR CLARITY.

FLOOD CERTIFICATE:

THIS PROPERTY LIES WITHIN ZONE "X" (UNSHADED) AS SCALED FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP OF BALDWIN COUNTY, ALABAMA, MAP NUMBER 01003C0233J, COMMUNITY NUMBER 010029, PANEL NUMBER 0233, SUFFIX J, MAP REVISED DATE APRIL 19, 2018.

SURVEYOR'S CERTIFICATE:

STATE OF ALABAMA
COUNTY OF BALDWIN

BE, DOWBERRY, A FIRM OF LICENSED ENGINEERS AND LAND SURVEYORS OF DAPHNE, ALABAMA, HEREBY STATE THAT THE ABOVE IS A CORRECT MAP OR PLAT OF THE FOLLOWING DESCRIBED PROPERTY SITUATED IN BALDWIN COUNTY, ALABAMA, TO-WIT:

LOTS 28, 29, AND 31, IN BLOCK 4, YUILLES (1ST) SUBDIVISION, DAPHNE, ALABAMA, ACCORDING TO THE OFFICIAL MAP OR PLAT THEREOF RECORDED IN MISCELLANEOUS BOOK 1, PAGE 186, IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA. (DESCRIPTION COMED FROM REAL PROPERTY BOOK 344, PAGE 1576, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA.)

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

03-07-2019
DAVID E. DEAL — DATE
AL. P.L.S. NO. 26914
SURVEY NOT VALID WITHOUT ORIGINAL SIGNATURE AND SEAL.

ALABAMA LICENSED NO. 26914 PROFESSIONAL LAND SURVEYOR DAVID E. DEAL

REVISIONS	DRAWN BY	FIELD DATE	FIELD BOOK & PAGE

PROPERTY BOUNDARY SURVEY
GIV PAY DIRT, LLC
Dowberry

DATE	03/07/2019
SCALE	1" = 20'
DRAWN BY	JW/WB
CHECKED BY	DEAL
FIELD BOOK & PAGE	2303 PG 48
PROJECT NUMBER	19-0-2
SHEET NO.	1 OF 1

Olde Towne Daphne District

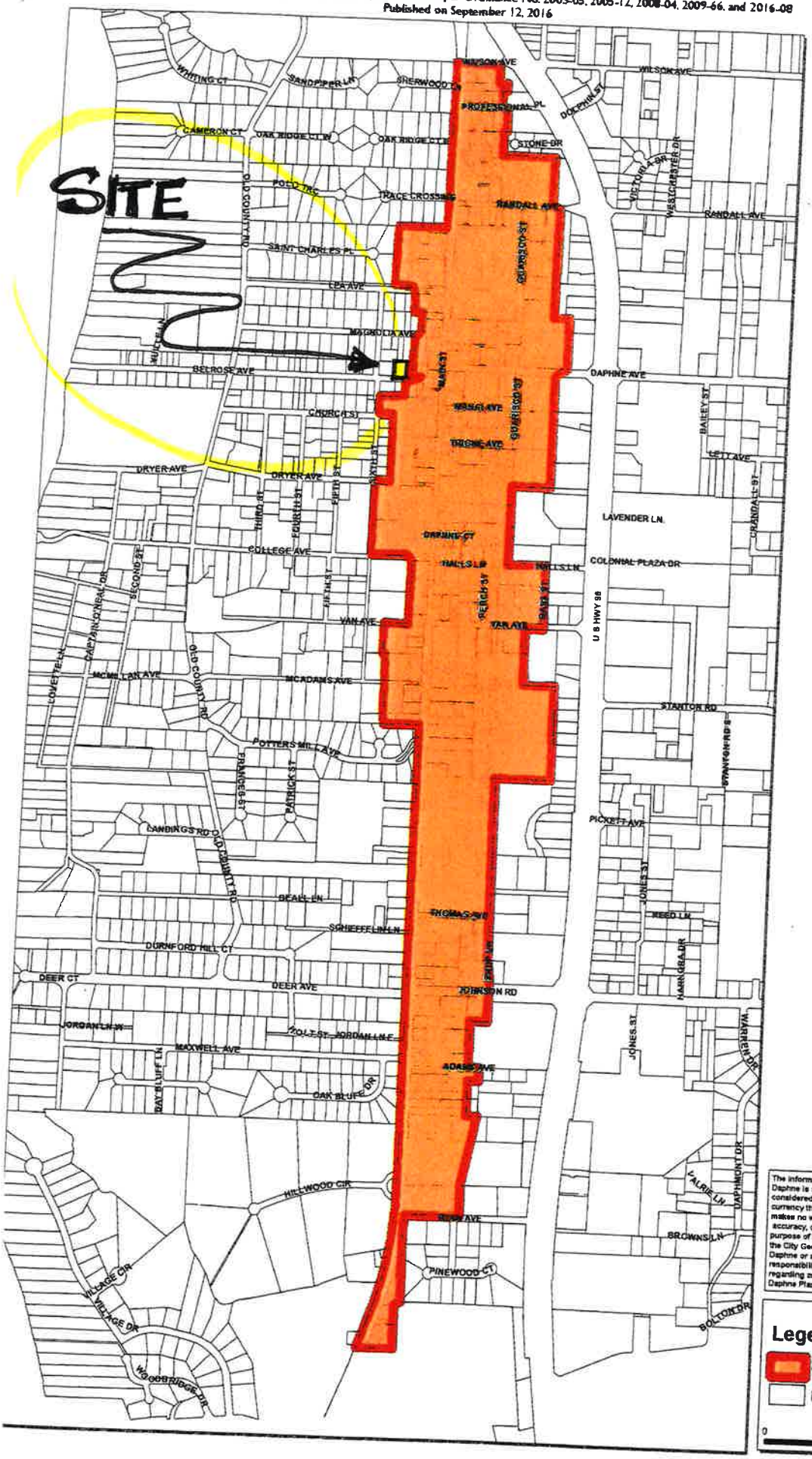
Appendix 1: Olde Towne Daphne District Map Revisions as per Ordinance No. 2003-05, 2005-12, 2008-04, 2009-66, and 2016-08
Published on September 12, 2016

Daphne
ALABAMA
The Jubilee City

SITE

Proposed Boundary Change

5.19



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 responsibility to maintain it in any manner or form. Any questions regarding zoning or any data should be directed to the City of Daphne Planning Department. Tel. #251-621-3184

Legend

- Olde Towne Daphne District
- Parcels

N

0 0.125 0.25 0.5 Miles

CITY OF DAPHNE
ORDINANCE 2019-35

Ordinance to Re-Zone Property Located
Northwest of Main Street and Belrose Avenue (Belrose North)
Fortuna Investments, LLC

WHEREAS, Fortuna Investments, LLC, as the owner of certain real property located within the City of Daphne, has requested that said property that is currently zoned as R-2, Medium Density Single-Family Residential District, be re-zoned as B-3, Professional Business District; and

WHEREAS, said real property is located Northwest of Main Street and Belrose Avenue, and more particularly described as follows:

Legal Description of Property to be Re-Zoned to B-3, Professional Business District:

LOTS 29, 30, AND 31, BLOCK 4, OF YUILLE SUBDIVISION, BELROSE WHARF, ACCORDING TO THE OFFICIAL MAP OR PLAT THEREOF RECORDED IN MISCELLANEOUS BOOK 1, PAGE 169, IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA. TRACT CONTAINS 0.39 ACRES, MORE OR LESS.

WHEREAS, at the regular Planning Commission meeting on May 23, 2019, the Commission considered said request and set forth a favorable recommendation; and,

WHEREAS, due notice of said proposed re-zoning has been provided to the public as required by law through publication and open display at the Daphne Public Library and City Hall, and a public hearing was held before the City Council on July 15, 2019; and,

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

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

SECTION I: ZONING

The above described real property is hereby re-zoned from R-2, Medium Density Single-Family Residential District, be re-zoned as B-3, Professional Business District, and the zoning ordinance and zoning map shall be amended to reflect the said zoning change.

SECTION II: REPEALER.

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

SECTION III: SEVERABILITY.

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

SECTION IV: EFFECTIVE DATE AND REVERSION.

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

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS____day of _____, 2019.

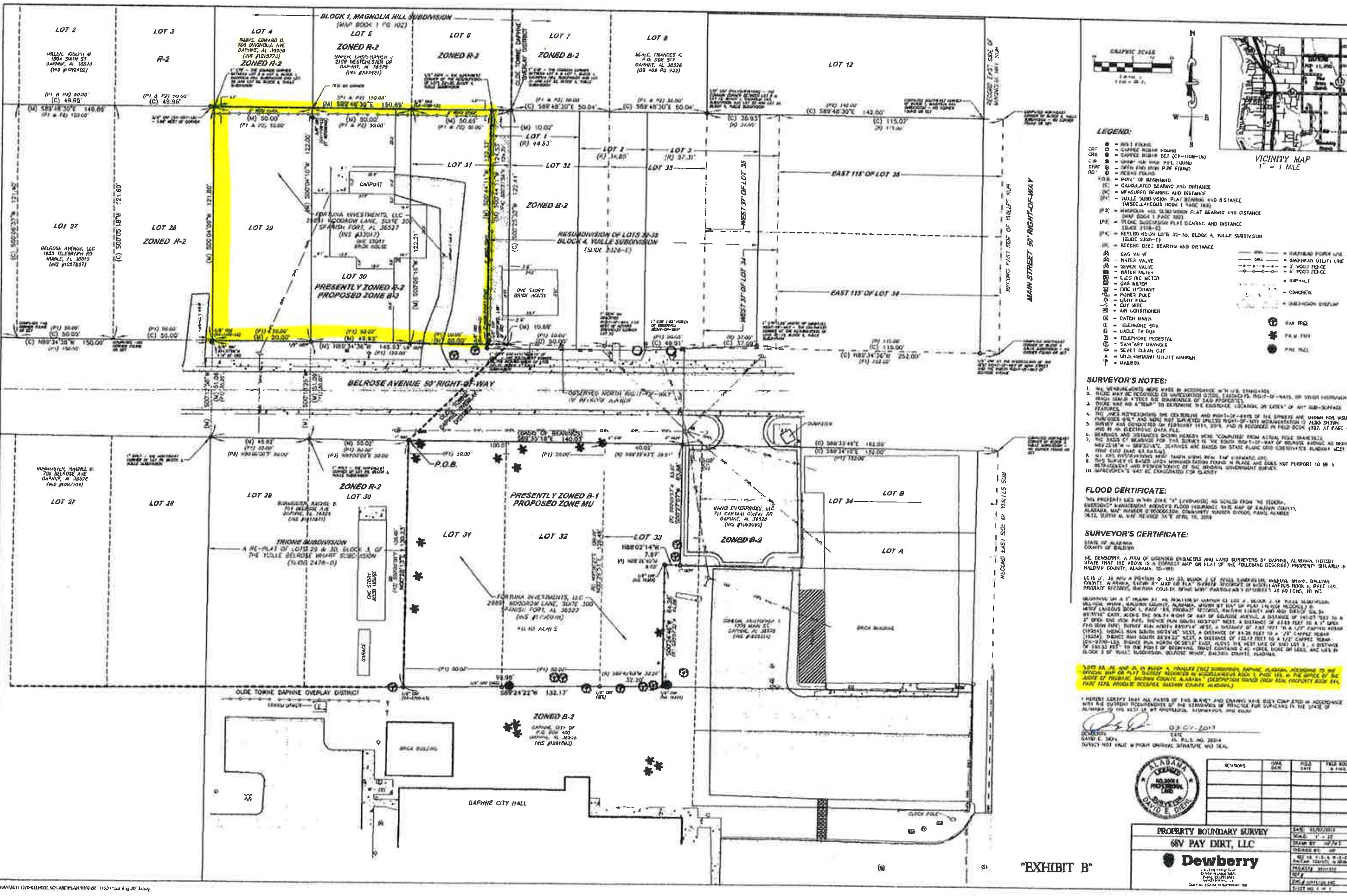
_____

Dane Haygood, Mayor

ATTEST:

_____

Candace G. Antinarella, City Clerk


BLOCK 1, MAGNOLIA HILL SUBDIVISION
LOT 2
LOT 3
R-2
LOT 4
ZONED R-2
LOT 5
ZONED R-2
LOT 6
ZONED R-2
OLDE TOWNE DAPHNE OVERLAY DISTRICT
LOT 7
ZONED B-2
LOT 8
LOT 12
LOT 27
LOT 28
ZONED R-2
LOT 29
LOT 30
PRESENTLY ZONED R-2
PROPOSED ZONE B-3
LOT 31
LOT 32
LOT 33
CARPORT
ONE STORY BRICK HOUSE
ZONED B-2
RESUBDIVISION OF LOTS 32-35
BLOCK 4, YUILLE SUBDIVISION
EAST 115' OF LOT 35
EAST 115' OF LOT 34
WEST 37' OF LOT 35
WEST 37' OF LOT 34
MAIN STREET 50' RIGHT-OF-WAY
BELROSE AVENUE 50' RIGHT-OF-WAY
P.O.B.
PRESENTLY ZONED B-1
PROPOSED ZONE MU
ZONED R-2
TRIONE SUBDIVISION
ZONED B-2
LOT 34
LOT B
LOT A
BRICK BUILDING
GARAGE
OLDE TOWNE DAPHNE OVERLAY DISTRICT
ZONED B-2
DAPHNE CITY HALL
BRICK BUILDING
CLOCK POLE
VICINITY MAP
1" = 1 MILE
LEGEND:
SURVEYOR'S NOTES:
FLOOD CERTIFICATE:
SURVEYOR'S CERTIFICATE:
PROPERTY BOUNDARY SURVEY
68V PAY DIRT, LLC
Dewberry
"EXHIBIT B"

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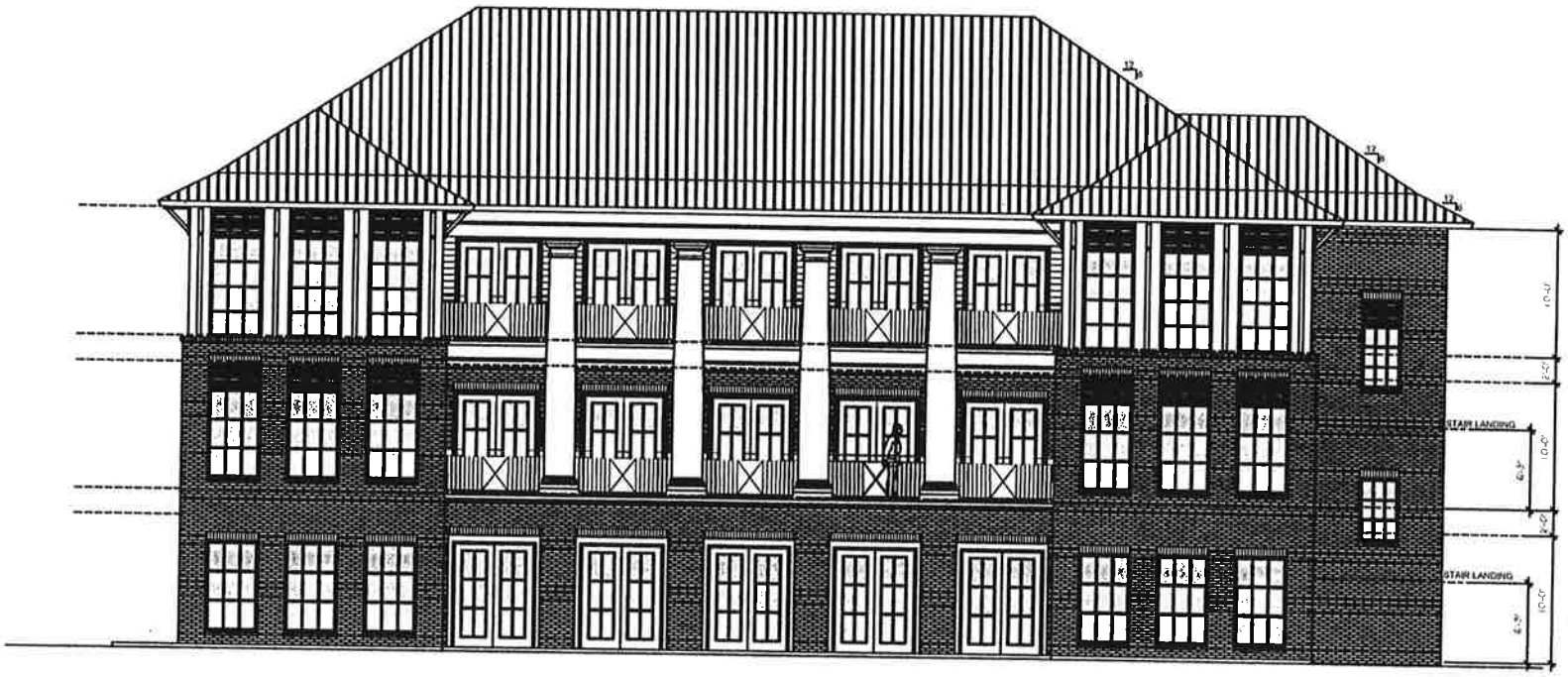


FRONT ELEVATION
SCALE: 1/4" = 1'-0"

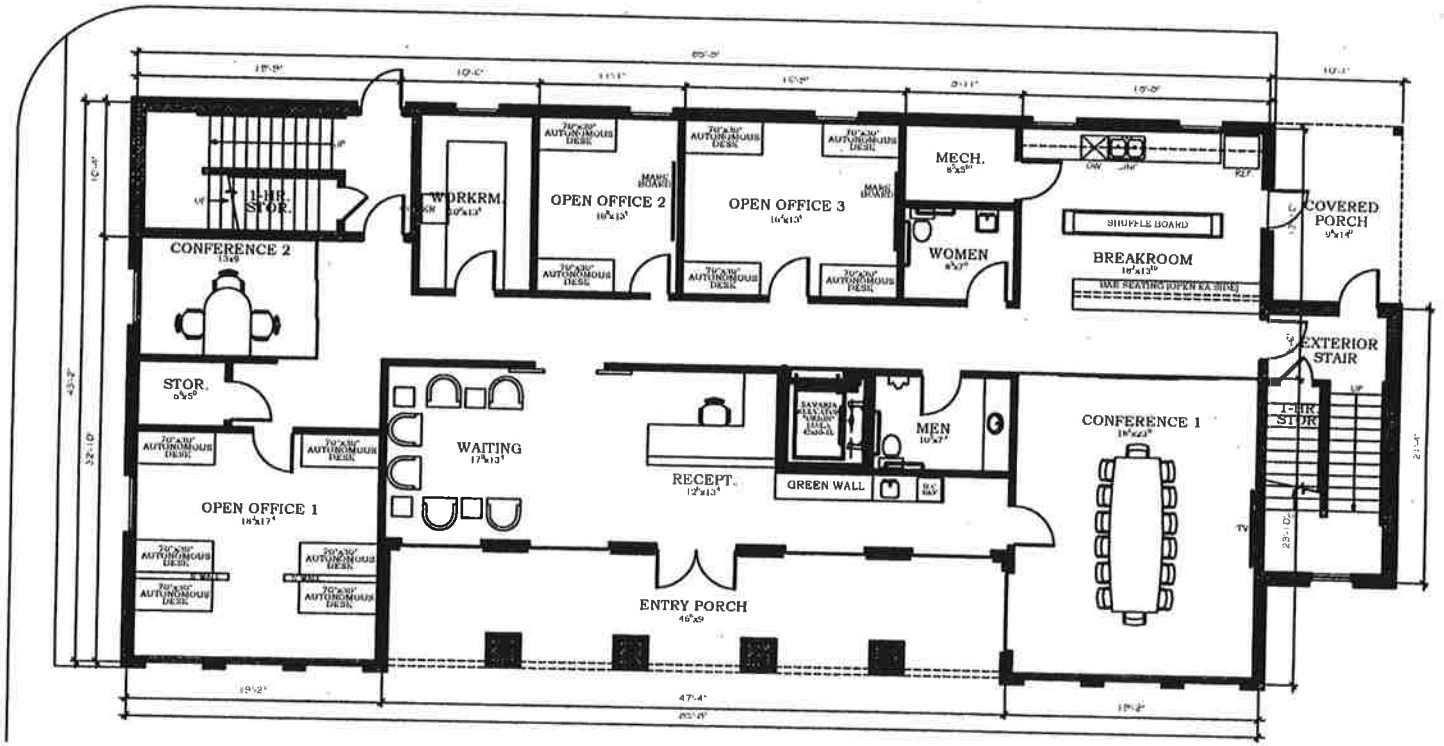
McCollough Architecture, Inc
P.O. Box 4216
Gulf Shores, Alabama 36547-4216
Phone: 251-968-7111

NOT FOR CONSTRUCTION

A NEW BUILDING
FOR
BELROSE COMMERCIAL
ORANGE BEACH
ALABAMA

JOB NO.:	
DRAWN:	JAO
CHECKED:	SBM
DATE:	2019.05.13
REVISION:	
SCALE:	1/4" = 1'-0"

SHEET NO.
A3.0
EXTERIOR ELEVATION



FIRST FLOOR PLAN

HEATED/COOL.:	3,364
OUTDOOR STAIR:	190
COV. PORCH:	578

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McCOLLOUGH ARCHITECTURE, INC

NOT FOR CONSTRUCTION

A NEW BUILDING FOR
BELROSE COMMERCIAL
ORANGE BEACH ALABAMA

JOB NO.:	
DRAWN	JAG
CHECKED:	SBM
DATE:	2019 05 10
REVISION:	
SCALE:	1/4" = 1'-0"
SHEET NO.:	A1.1
	FIRST FLOOR PLAN

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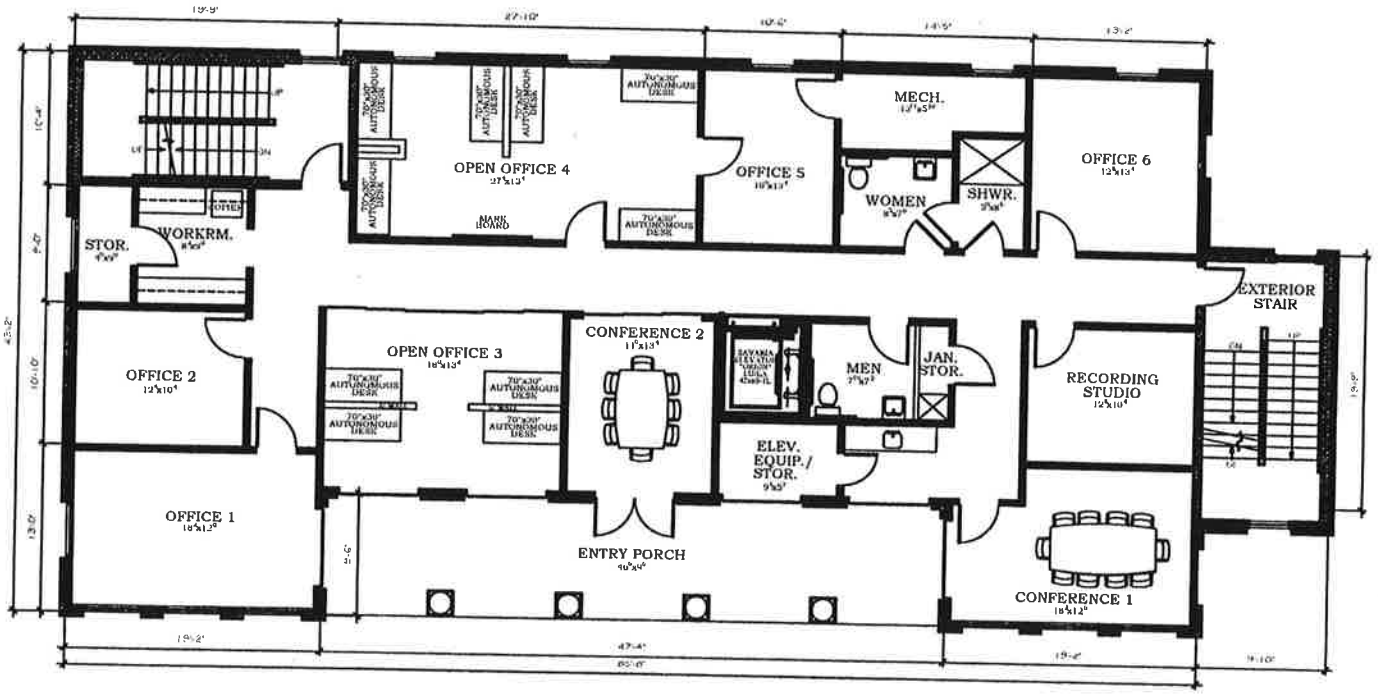


SECOND FLOOR PLAN

HEATED/COOL.:	3,364
OUTDOOR STAIR:	190
COV. PORCH:	442

McCOLLOUGH ARCHITECTURE, INC

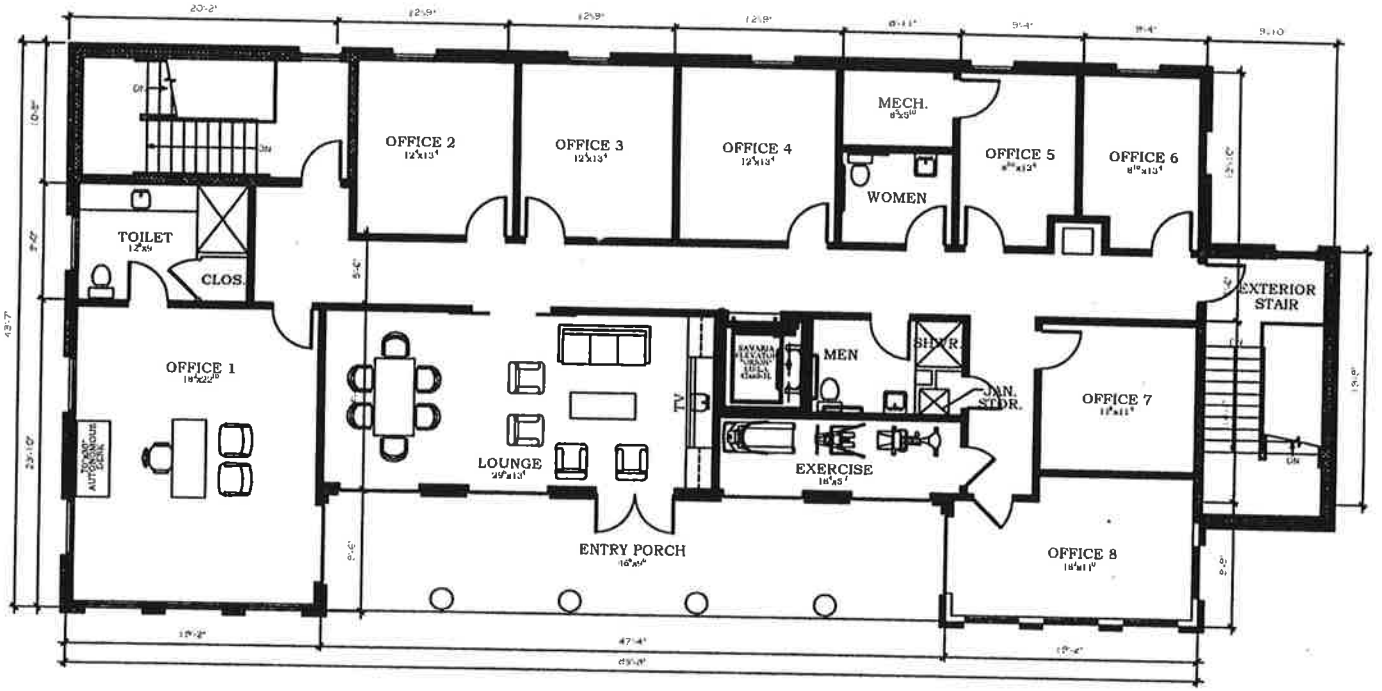
NOT FOR CONSTRUCTION

A NEW BUILDING FOR
BELROSE COMMERCIAL
ORANGE BEACH ALABAMA

JOB NO.:	
DRAWN	JAG
CHECKED	SHM
DATE	2019 05 [illegible]
REVISION	
SCALE:	1/4" = 1'-0"

SHEET NO.
A1.2
SECOND FLOOR PLAN

COPYRIGHT 2019, MCCOLLOUGH ARCHITECTURE, INC.



THIRD FLOOR PLAN

HEATED/COOL.:	3,364
OUTDOOR STAIR:	190
COV. PORCH:	442

McCollough Architecture Inc

NOT FOR CONSTRUCTION

A NEW BUILDING FOR BELROSE COMMERCIAL ORANGE BEACH ALABAMA

JOB NO.:	
DRAWN:	JAH
CHECKED:	SBM
DATE:	2019.05.10
REVISION	
SCALE:	1/4" = 1'-0"
SHEET NO.:	A1.3
THIRD FLOOR PLAN	

CITY OF DAPHNE, ALABAMA
ORDINANCE NO. 2019-36

Ordinance to Re-Zone Property Located
Southwest of Main Street and Belrose Avenue (Belrose South)
Fortuna Investments, LLC

WHEREAS, Fortuna Investments, LLC, as the owner of certain real property located within the City of Daphne, has requested that said property that is currently zoned as B-3, Professional Business District, be re-zoned as MU, Mixed Use District; and

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

Legal Description of Property to be Re-Zoned to MU, Mixed Use District:

LOTS 31, 32 AND A PORTION OF LOT 33, BLOCK 3, OF YUILLE SUBDIVISION, BELROSE WHARF, SHOWN BY MAP OR PLAT THEREOF RECORDED IN MISCELLANEOUS BOOK 1, PAGE 169, PROBATE RECORDS, BALDWIN COUNTY. ALABAMA.
BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:
BEGINNING ON A 1" REBAR AT THE NORTHWEST CORNER OF LOT 31, BLOCK 3, OF YUILLE SUBDIVISION, BELROSE WHARF, SHOWN BY MAP OR PLAT THEREOF RECORDED IN MISCELLANEOUS BOOK 1, PAGE 169, PROBATE RECORDS, BALDWIN COUNTY AND RUN THENCE SOUTH 89°35'16" EAST, ALONG THE SOUTH RIGHT OF WAY OF BELROSE AVENUE, A DISTANCE OF 140.03 FEET TO A 2" OPEN END IRON PIPE; THENCE RUN SOUTH 00°27'07" WEST, A DISTANCE OF 63.86 FEET TO A 1" OPEN END IRON PIPE; THENCE RUN NORTH 88°02'14" WEST, A DISTANCE OF 7.97 FEET TO A 1/2" CAPPED REBAR (19254); THENCE RUN SOUTH 00°24'46" WEST, A DISTANCE OF 64.26 FEET TO A 1/2" CAPPED REBAR (19254); THENCE RUN SOUTH 89°24'22" WEST, A DISTANCE OF 132.17 FEET TO A 1/2" CAPPED REBAR (CA-0700-LS); THENCE RUN NORTH 00°28'13" EAST, ALONG THE WEST LINE OF SAID LOT 31, A DISTANCE OF 130.23 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 0.40 ACRES, MORE OR LESS.

WHEREAS, at the regular Planning Commission meeting on May 23, 2019, the Commission considered said request and set forth a favorable recommendation; and,

WHEREAS, due notice of said proposed re-zoning has been provided to the public as required by law through publication and open display at the Daphne Public Library and City Hall, and a public hearing was held before the City Council on July 15, 2019; and,

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

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

SECTION I: ZONING

The above described real property is hereby re-zoned from B-3, Professional Business District, be re-zoned as MU, Mixed Use District, and the zoning ordinance and zoning map shall be amended to reflect the said zoning change.

SECTION II: REPEALER.

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

SECTION III: SEVERABILITY.

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

SECTION IV: EFFECTIVE DATE AND REVERSION.

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

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS_____day of _____, 2019.

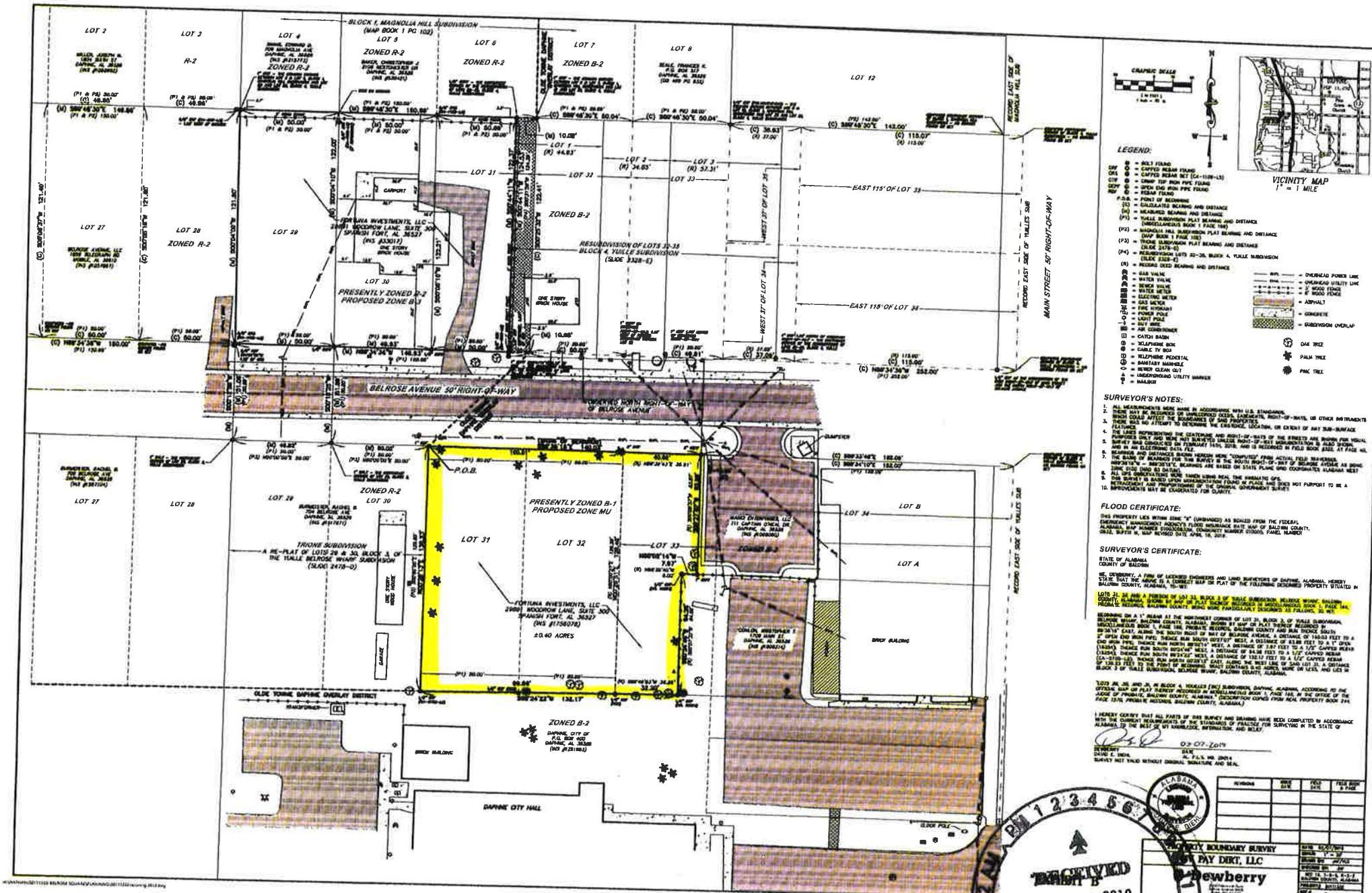
_____

Dane Haygood, Mayor

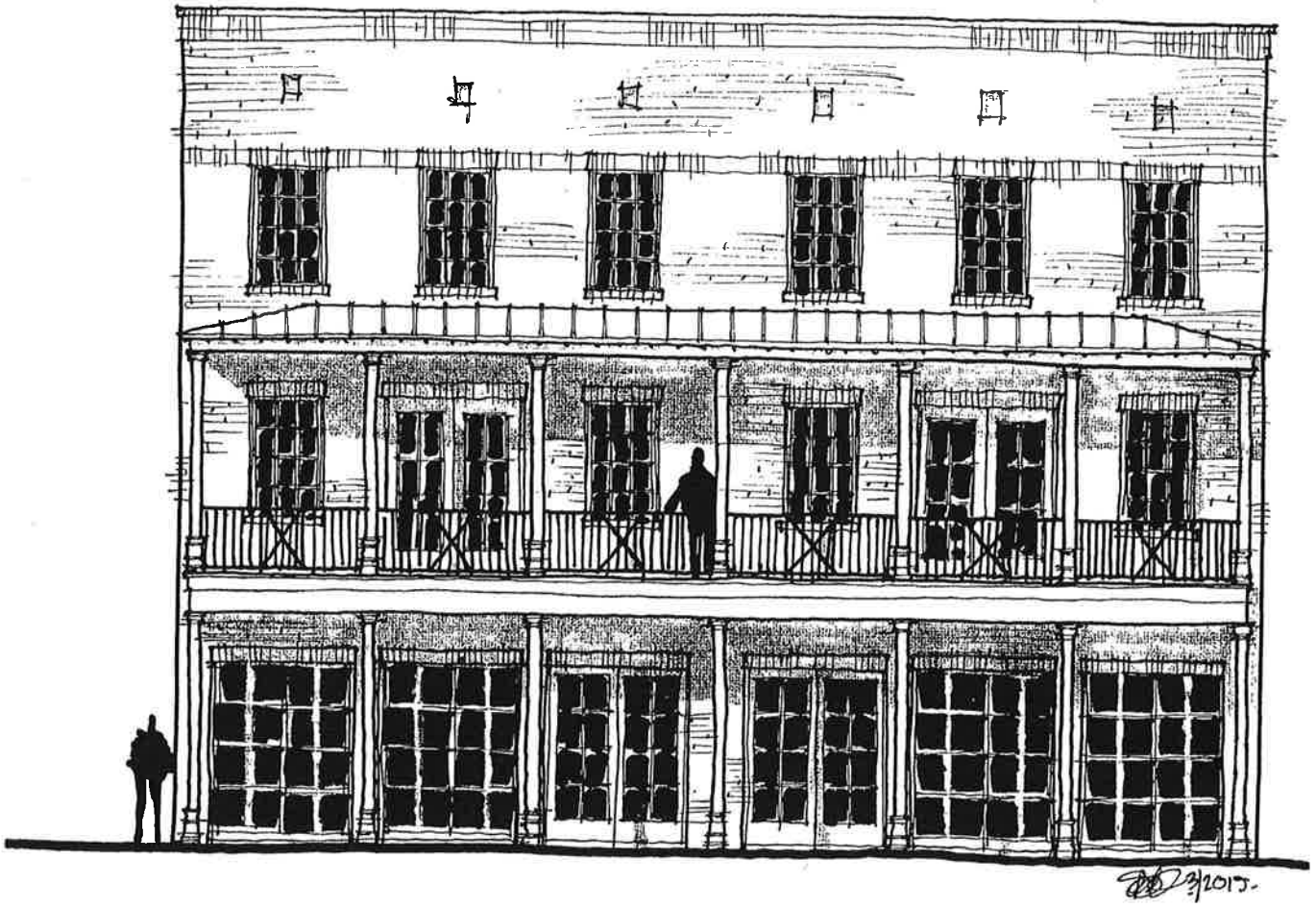
ATTEST:

_____

Candace G. Antinarella, City Clerk


BLOCK 1, MAGNOLIA HILL SUBDIVISION
(MAP BOOK 1 PG 102)
LOT 2
LOT 3
LOT 4
LOT 5
LOT 6
LOT 7
LOT 8
LOT 12
ZONED R-2
ZONED B-2
R-2
LOT 27
LOT 28
LOT 29
LOT 30
LOT 31
LOT 32
LOT 33
LOT 34
LOT A
LOT B
PRESENTLY ZONED R-2
PROPOSED ZONE B-1
PRESENTLY ZONED B-1
PROPOSED ZONE MU
RESUBDIVISION OF LOTS 32-35
BLOCK 4, YUILLE SUBDIVISION
(SLIDE 3328-E)
EAST 115' OF LOT 33
EAST 115' OF LOT 34
WEST 31' OF LOT 34
WEST 31' OF LOT 35
MAIN STREET 50' RIGHT-OF-WAY
RECORD EAST SIDE OF YUILLES SUB
BELROSE AVENUE 50' RIGHT-OF-WAY
DEDICATED NORTH RIGHT-OF-WAY OF BELROSE AVENUE
P.O.B.
TRIONE SUBDIVISION
A RE-PLAT OF LOTS 28 & 30, BLOCK 3, OF THE YUILLE BELROSE WHARF SUBDIVISION
(SLIDE 2478-D)
FORTUNA INVESTMENTS, LLC
2989 WOODROW LANE, SUITE 300
SPANISH FORT, AL 36527
(INS #1756078)
±0.40 ACRES
FORTUNA INVESTMENTS, LLC
2989 WOODROW LANE, SUITE 300
SPANISH FORT, AL 36527
(INS #33019)
ONE STORY BRICK HOUSE
CARPORT
GARAGE
BRICK BUILDING
DAPHNE CITY HALL
ZONED B-2
DAPHNE, CITY OF
P.O. BOX 400
DAPHNE, AL 36526
(INS #1231853)
OLDE TOWNE DAPHNE OVERLAY DISTRICT
DUMPSTER
SIGN POST
GRAPHIC SCALE
1 in = 40 ft
N
W
E
VICINITY MAP
1" = 1 MILE
LEGEND:
SURVEYOR'S NOTES:
FLOOD CERTIFICATE:
SURVEYOR'S CERTIFICATE:
STATE OF ALABAMA
COUNTY OF BALDWIN
I HENERY CERTIFY THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA, TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.
03-07-2019
DAVID E. HENRY
AL. P.L.S. NO. 23014
SURVEY NOT VALID WITHOUT ORIGINAL SIGNATURE AND SEAL.
ALABAMA
LICENSED
PROFESSIONAL
SURVEYOR
RECEIVED
MAY - 8 2019
COMMUNITY
DEVELOPMENT
EXHIBIT B
PROPERTY BOUNDARY SURVEY
PAY DIRT, LLC
Newberry

BELROSE MIXED-USE CONCEPT BUILDING
NORTH ELEVATION



McCollough
Architecture, Inc.
P.O. BOX 6310
GULF SHORES, ALABAMA
36547-6310
PHONE: 251-968-7222

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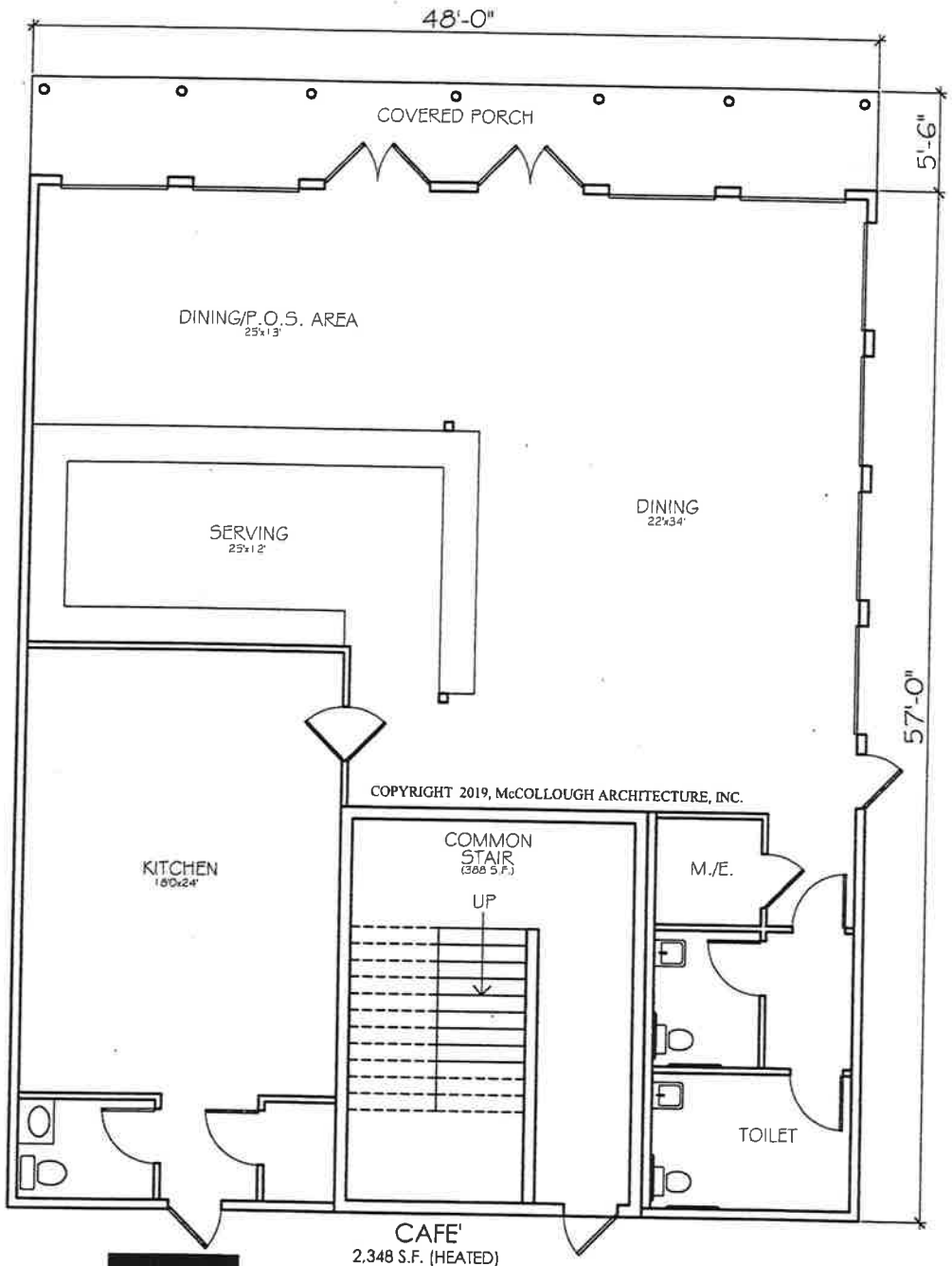

1st FLOOR
COMMERCIAL

McCOLLOUGH
ARCHITECTURE, INC.
P.O. BOX 6310
GULF SHORES, ALABAMA
36547-6310
PHONE: 251-968-7222