

**CITY OF DAPHNE  
CITY COUNCIL MEETING AGENDA  
1705 MAIN STREET, DAPHNE, ALABAMA  
JULY 6, 2015  
6:30 P.M.**

**1. CALL TO ORDER**

**2. ROLL CALL**

INVOCATION / Pastor Joshua Sellers of Eastern Shore Baptist Church

**PLEDGE OF ALLEGIANCE**

**3. APPROVE MINUTES:** Council Meeting Minutes / June 15, 2015

**PUBLIC HEARINGS:** *Pulled from the agenda per owner*

- 1.) Rezoning: Cadence Bank  
Location: One quarter mile south of the intersection of County Road 64 and Pollard Rd.  
Present Zoning: R-4, High Density Multi-Family Residential District  
Requested Zoning: PUD, Planned Unit Development  
Recommendation: Unanimous favorable
  
- 2.) Pre-Zoning: Cadence Bank  
Location: One quarter mile south of the intersection of County Road 64 and Pollard Rd.  
Present Zoning: RSF-2, Single Family District, Baldwin County District 15  
Requested Zoning: PUD, Planned Unit Development, City of Daphne  
Recommendation: Unanimous favorable
  
- 3.) Annexation: Cadence Bank  
Location: One quarter mile south of the intersection of County Road 64 and Pollard Rd.  
Recommendation: Unanimous favorable

**4. REPORTS OF STANDING COMMITTEES:**

**A. FINANCE COMMITTEE – Fry**

Review Special Called meeting minutes / June 25<sup>th</sup>

**1. Ordinances:**

- a.) Appropriation of Funds: Amending the City of Daphne Pay Plan / *Ordinance 2015-36*

**B. BUILDINGS & PROPERTY COMMITTEE - Davis**

Review minutes / June 1<sup>st</sup>

**C. PUBLIC SAFETY - Rudicell**

Review minutes / June 15<sup>th</sup>

**D. CODE ENFORCEMENT/ORDINANCE COMMITTEE - Scott**

Review minutes / June 15<sup>th</sup>

**E. PUBLIC WORKS COMMITTEE / SOLID WASTE AUTHORITY – LeJeune**

**5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:**

- A. BOARD OF ZONING ADJUSTMENTS** – Adrienne Jones
- B. DOWNTOWN REDEVELOPMENT AUTHORITY** – Conaway  
Review minutes / June 24<sup>th</sup>
- C. INDUSTRIAL DEVELOPMENT BOARD** – Davis  
Review minutes / June 22<sup>nd</sup>
- D. LIBRARY BOARD** - Lake
- E. PLANNING COMMISSION** – Scott  
Review minutes / May 28<sup>th</sup> / Staff Report / June 25<sup>th</sup> meeting

**MOTION:** To set a Public Hearing date for August 3, 2015 and approve advertising to consider :

- a.) Pre-zone: The Bills’ No. 2, LLC  
Located: Southwest corner of the intersection of Champions Way and AL Hwy. 181  
Present zoning: RSF-1, Single Family Residential District, Baldwin County District 15  
Requested zoning: PUD, Planned Unit Development, City of Daphne  
Recommendation: Unanimous favorable
  
- b.) Annexation: The Bills’ No. 2, LLC  
Location: Southwest corner of the intersection of Champions Way and AL Hwy. 181  
Recommendation: Unanimous favorable

- F. RECREATION BOARD** – LeJeune  
Review minutes / May 13<sup>th</sup> / June 10<sup>th</sup>
- G. UTILITY BOARD** – Fry  
Review minutes / May 22<sup>nd</sup>

**6. MAYOR’S REPORT**

**7. CITY ATTORNEY’S REPORT**

**8. DEPARTMENT HEAD’S REPORT**

**9. CITY CLERK’S REPORT**

**10. PUBLIC PARTICIPATION**

**11. RESOLUTIONS AND ORDINANCES:**

**RESOLUTIONS:**

- a.) **Resolution 2015-43.** ..... Requesting the Eastern Shore Metropolitan Planning Organization Fund a Project to Construct a Transit Facility in Daphne for Which The City of Daphne Will Provide the 20% Match
- b.) **Resolution 2015-44.** ..... Acceptance of Streets and/or Rights-of-Way / A Portion of Ray’s Lane Southwest of Bradbury Circle – South of Lake Forest Subdivision

**ORDINANCES:**

**2<sup>nd</sup> READ**

- a.) **Ordinance 2015-33.** ..... Appropriation of Funds / Daphne Master Planning & Pre-Design
- b.) **Ordinance 2015-34.** ..... Setting Forth the Authorization of Certain City Officials as Designated Signatories on Various Accounts of the City of Daphne
- c.) **Ordinance 2015-35.** ..... Appropriation of Funds / Property Purchase / Lake Forest Lot 62-Sub Unit

**1<sup>ST</sup> READ**

- a.) **Ordinance 2015-36.** ..... Appropriation of Funds: Amending the City of Daphne Pay Scale
- b.) **Ordinance 2015-37.** ..... Rezone: Property Located One Quarter Mile South of the Intersection of County Road 64 and Pollard Road / Cadence Bank / **Pulled from the agenda per owner**
- c.) **Ordinance 2015-38.** ..... Pre-Zone Property Located One Quarter Mile South of the Intersection of County Road 64 and Pollard Road / Cadence Bank / **Pulled from the agenda per owner**
- d.) **Ordinance 2015-39.** ..... Annexation: Property Located One Quarter Mile South of the Intersection of County Road 64 and Pollard Road / Cadence Bank / **Pulled from the agenda per owner**

**12. COUNCIL COMMENTS**

**13. ADJOURN**

**CITY OF DAPHNE  
CITY COUNCIL**

**ROLL CALL**

**CITY COUNCIL:**

<b>COUNCILMAN RUDICELL</b>	<b>PRESENT</b> ____	<b>ABSENT</b> ____
<b>COUNCILMAN LAKE</b>	<b>PRESENT</b> ____	<b>ABSENT</b> ____
<b>COUNCILMAN FRY</b>	<b>PRESENT</b> ____	<b>ABSENT</b> ____
<b>COUNCILMAN SCOTT</b>	<b>PRESENT</b> ____	<b>ABSENT</b> ____
<b>COUNCILMAN LEJEUNE</b>	<b>PRESENT</b> ____	<b>ABSENT</b> ____
<b>COUNCILMAN DAVIS</b>	<b>PRESENT</b> ____	<b>ABSENT</b> ____
<b>COUNCIL PRESIDENT CONAWAY</b>	<b>PRESENT</b> ____	<b>ABSENT</b> ____

**MAYOR:**

<b>MAYOR HAYGOOD</b>	<b>PRESENT</b> ____	<b>ABSENT</b> ____
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**CITY CLERK:**

<b>REBECCA HAYES</b>	<b>PRESENT</b> ____	<b>ABSENT</b> ____
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**CITY ATTORNEY:**

<b>JAY ROSS</b>	<b>PRESENT</b> ____	<b>ABSENT</b> ____
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**JUNE 15, 2015  
CITY COUNCIL MEETING  
REGULAR BUSINESS MEETING  
1705 MAIN STREET  
DAPHNE, AL  
6:30 P.M.**

**1. CALL TO ORDER:**

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

**2. ROLL CALL**

**COUNCIL MEMBERS PRESENT:**

Tommie Conaway; Pat Rudicell; John Lake; Randy Fry; Ron Scott; Robin LeJeune; Joe Davis.

Also present: Mayor Haygood; Rebecca Hayes, City Clerk; Melissa Wilt, Assistant City Clerk; Kevin Boucher, Adams & Reese; David Carpenter, Police Chief; James White, Fire Chief; Vickie Hinman, HR Director; David McKelroy, Recreation Director; Richard Johnson, Public Works Director; Vickie Hinman, HR Director; Margaret Thigpen, Civic Center Director; Kelli Kichler, Finance Director/Treasurer; Tonja Young, Library Director; Adrienne Jones, Planning Director; Ashley Campbell, Environmental Programs Manager Dorothy Morrison, DRA and Beautification Committee; Willie Robison, BZA; Larry Cooke, BZA; Dorothy Morrison, Beautification Committee; Sarah Toulson, Beautification Committee.

Absent: Jay Ross, City Attorney; Michael Hoyt, Municipal Judge; Richard Merchant, Building Official.

**INVOCATION/PLEDGE OF ALLEGIANCE:**

Pastor Dale Ryles with City of Hope Church gave the invocation.

**3. APPROVE MINUTES:**

**June 1, 2015 Council Meeting Minutes**

There being no corrections the June 1, 2015 minutes were approved as written.

**June 8, 2015 Council Work Session Minutes**

There being no corrections the June 8, 2015 Council Work Session minutes were approved as written.

**PRESENTATION: *Beautification 3rd Quarter Award / Coastal Bank and Trust of Alabama / Kelly Lankford, Branch Manager***

There was no representative present to accept the award.

***Jubilee Square Property Manager, Christy Howard / Burton Property Group***

There was no representative present to accept the award.

**4. REPORT OF STANDING COMMITTEES:**

**A. FINANCE COMMITTEE – Fry**

The June 8<sup>th</sup> minutes are in the packet.

**Treasurer's Report / May 2015**

As of May, 2015 *Total Unrestricted Funds* - \$10,840,698 and *Total City Funds* - \$19,261,986.

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**Sales & Use Tax Collections / April 2015**

\$1,144,698 was collected for April, 2015:

- YTD Variance over Budget – (\$36,037) -.5%
- Percent change from last year’s collections + 3.1 %

**Lodging Tax Collections / April 2015**

\$101,196 which is up \$14,951 from April’s 2014’s collections of \$86,245 .

- YTD Variance over Budget: \$47,464; + 4.4%
- Percentage change from last year’s collections: + 14.8%

**Set a Special Called Finance Committee Meeting**

**MOTION BY Councilman Fry to call a special Finance Committee meeting to discuss the pay scale for Directors. *Seconded by Councilman Davis.***

**MOTION CARRIED UNANIMOUSLY**

***B. BUILDINGS & PROPERTY COMMITTEE – Davis***

The next meeting will be the 1<sup>st</sup> Monday of July.

***C. PUBLIC SAFETY COMMITTEE – Rudicell***

The committee met earlier today, and the Police Department has been presented a grant opportunity from the Department of Justice that will pay 75% for two new officers for three years, and the city will be required to continue those two positions for another two years after the three years runs out. They just found out about it today. Council will need to suspend the rules on a motion to approve applying for this grant.

**MOTION BY Councilman Fry to suspend the rules to consider a motion to approve the Police Department applying for the grant by the Department of Justice. *Seconded by Councilman Davis.***

**ROLL CALL VOTE**

Lake	Aye	LeJeune	Aye
Fry	Aye	Davis	Aye
Scott	Aye	Conaway	Aye

**MOTION CARRIED UNANIMOUSLY**

**MOTION BY Councilman Fry to approve the Police Department applying for the grant by the Department of Justice. *Seconded by Councilman Davis.***

**MOTION CARRIED UNANIMOUSLY**

Councilman Fry said they are continuing research on body cameras, and are looking for grant opportunities.

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***D. CODE ENFORCEMENT/ORDINANCE COMMITTEE*** – Scott

The committee met this afternoon and discussed the advertisements that are thrown into citizen's yards. There were representatives from the Press-Register in attendance and they were able to work out an agreement where they will do a sweep every week on Friday and retrieve the papers that have not been picked up by citizens. The Press-Register wants to work with the city, and the committee will be monitoring how it works. The next meeting will be the third Monday of July after the Public Safety meeting.

***E. PUBLIC WORKS COMMITTEE*** – LeJeune

No report.

**5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:**

***A. Board of Zoning Adjustments*** – Adrienne Jones

The next meeting will be July 2<sup>nd</sup> with one item on the agenda. The minutes for the January 8<sup>th</sup> meeting are in the packet along with the staff report for the June 4<sup>th</sup> meeting.

***B. Downtown Redevelopment Authority*** – Conaway

The next meeting is June 24<sup>th</sup> at 5:30 p.m.

***C. Industrial Development Board*** – Davis

The next meeting will be June 29<sup>th</sup> at 6:00 p.m.

***D. Library Board*** – Lake

The Library has DVD's available – movies, cultural, history, etc. that citizens can check out. The Summer Reading Program went well. The next meeting will be July 9<sup>th</sup> at 4:00 p.m.

***E. Planning Commission*** – Scott

The Planning Commission will meet on June 25<sup>th</sup> at 5:00 p.m. in the Council Chambers.

***F. Recreation Board*** – LeJeune

The board at its last meeting has recommended installing Frisbee Golf at the new park in Lake Forest. This will go to the Finance Committee to approve funds from the portion of the lodging tax apportioned to recreation.

***G. Utility Board*** – Fry

The next meeting will be June 24<sup>th</sup> at 5:00 p.m.

**6. MAYOR'S REPORT**

Mayor Haygood reported that the mowing and bush hogging at the Lake Forest park has been complete. The Utility Board is moving forward with their bond issue which will have very limited impact to the city. He mentioned that a representative for Burton Property Group was now present and asked if they could present the Beautification Award to them at this time.

Council President Conaway said that will be fine.

**PRESENTATION:** 3<sup>rd</sup> Quarter Beautification Award / Jubilee Square Shopping Center / Burton Property Group

Mayor Haygood, Councilman Scott and Mrs. Sarah Toulson, Beautification Committee) presented the award to Philip Burton.

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**7. CITY ATTORNEY REPORT:**

No report.

**8. DEPARTMENT HEAD COMMENTS:**

*David McKelroy – Recreation Director* – reported Wet & Wild Wednesday will be next two Wednesdays. He gave the sports schedule.

*Margaret Thigpen – Civic Center Director* – announced that The Taste of the Eastern Shore will be August 20<sup>th</sup>.

*Adrienne Jones - Planning Director* – reported the ice machine is now in compliance.

**9. CITY CLERK REPORT:**

a.) Events Permit / Free (*Forever Receiving Equality Everywhere*) / Walk / November 21, 2015

**MOTION BY Councilman Lake to approve the Events Permit / Free (*Forever Receiving Equality Everywhere*) / Walk / November 21, 2015. *Seconded by Councilman Fry.***

**MOTION CARRIED UNANIMOUSLY**

Mrs. Hayes introduced the new Assistant City Clerk, Melissa Wilt to everyone.

**10. PUBLIC PARTICIPATION**

*Mr. Don Ouellette – Daphne* - spoke regarding the advertisements thrown in yards, and is not in favor of them. He also spoke regarding the power outage, and the need to have someone in place for citizens to call for information.

**11. RESOLUTIONS & ORDINANCES:**

**RESOLUTIONS:**

a.) Resolution 2015-42. . . . .Confiscated Funds Signatories

**MOTION BY Councilman Scott to waive the reading of Resolution 2015-42. *Seconded by Councilman Davis.***

**MOTION CARRIED UNANIMOUSLY**

**MOTION BY Councilman Scott to adopt Resolution 2015-42. *Seconded by Councilman Davis.***

**MOTION CARRIED UNANIMOUSLY**

**JUNE 15, 2015  
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REGULAR BUSINESS MEETING  
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6:30 P.M.**

**ORDINANCES:**

**1<sup>ST</sup> READ**

- a.) **Ordinance 2015-33.** . . . . . Appropriation of Funds / Daphne Master Planning & Pre-Design
  
- b.) **Ordinance 2015-34.** . . . . . Setting Forth the Authorization of Certain City Officials as Designated Signatories on Various Accounts of the City of Daphne
  
- c.) **Ordinance 2015-35.** . . . . . Appropriation of Funds / Property Purchase / Lake Forest Lot 62-Sub Unit

**ORDINANCES 2015-33, 2015-34 AND 2015-35 ARE 1<sup>ST</sup> READ**

**12. COUNCIL COMMENTS**

*Councilman Fry* welcomed Melissa, and said he will enjoy working with her. He appreciated all the flags throughout the city.

*Councilman Scott* said that they need to sit down with Riviera and work out something after the bad situation with the power outage Saturday, and with the outage of the Police Department generator. They could not receive calls for four hours. The Police Department did a good job handling the outage. The Mayor will address this and come back with protocol.

*Councilman LeJeune* – wished all the fathers happy Father’s Day, and wished everyone a safe Fourth of July, and encouraged all to come out for the fireworks Display.

*Councilman Davis* welcomed Melissa on board, and he is glad to see Sarah out as a citizen with the Beautification Committee. He wished everyone a good and safe holiday.

*Councilman Lake* spoke regarding the gazebo that was budgeted for Park City Park. He said that the Beautification Committee gave the Mayor a plan, and does not see why the project has not been completed. He hopes there will be a better understanding with Riviera, and he would like a way developed to get messages out to the public when things of this nature happens.

*Mayor Haygood* commented on the budget for parks saying that he has Volkert looking at the gazebo project, and he wants it done right and keep symmetry throughout the city parks. He mentioned that Joe Bullock passed away today, and that he was a good man, and will be dearly missed.

*Council President Conaway* welcomed Melissa, and wished everyone a happy Fourth of July.

**JUNE 15, 2015  
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**13. ADJOURN:**

**MOTION BY Councilman Lake to adjourn. *Seconded by Councilman Fry.***

**MOTION CARRIED UNANIMOUSLY**

**THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE MEETING ADJOURNED AT 7:10 P.M.**

Respectfully submitted by,

Certification of Presiding Officer

\_\_\_\_\_  
Rebecca A. Hayes,  
City Clerk

\_\_\_\_\_  
Tommie Conaway,  
Council President

July 2, 2015

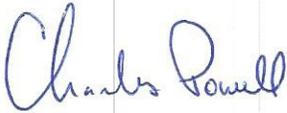
Mrs. Adrienne Jones  
Planning Director, City of Daphne  
P.O. Box 400  
Daphne, Alabama 36526

**RE: Villas at St. Charles Village**

Dear Mrs. Jones:

Cadence Bank, as owners of the property of what was to be called the Villas at St. Charles Village, are requesting to withdraw our Petition for Annexation of Lots 1-3 of Bolar View Subdivision, the Pre-zoning application for those lots, and the Rezoning application of the remaining 6.2 acres. There are plans to resubmit these applications in the future with a revised layout.

Sincerely,



Charles Powell  
Vice President  
Cadence Bank

To: Office of the City Clerk  
From: Adrienne D. Jones <sup>4/23/15</sup>  
Director of Community Development  
Subject: Cadence Bank  
Zoning Amendment  
Date: April 24, 2015

## MEMORANDUM

**PRESENT ZONING:** R-4, High Density Multi-Family Residential District, City of Daphne

**PROPOSED ZONING:** PUD, Planned Unit Development District, City of Daphne

**LOCATION:** One quarter mile south of the intersection of County Road 64 and Pollard Road

**RECOMMENDATION:** At the Thursday, April 23, 2015, regular meeting of the Daphne Planning Commission, six members were present. The motion carried for an **unanimous favorable recommendation** to the City Council of the zoning amendment for the subject property for Cadence Bank as a PUD, Planned Unit Development District.

Attached please find documentation from the Office of Community Development. Ordinances shall be provided by the Office of the City Attorney.

Thank you,  
ADJ/jv

cc: file

attachment(s)

1. Zoning Amendment Application
2. Legal Description
3. Boundary Survey
3. Adjacent property owners' list
4. Community Development Report



# REZONING APPLICATION

Office use only	Date Submitted <b>March 23, 2015</b>
Application	Planning Commission Public
Number: <b>ZA-15-01</b>	Hearing Date: <b>April 23, 2015</b>

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): <b>1/4 MILE SOUTH OF INTERSECTION OF COUNTY ROAD 64 AND POLLARD ROAD</b>	PPIN#(s): <b>3634 3635</b>
Gross Site Area (acreage): <b>6.2 ACRES</b>	Requested Zoning: <b>PUD</b>
Current Zoning Designation(s): <b>R-4</b>	Amended Zoning Request: <b>G-1930</b>
	Initials: <b>NO</b> Date: <b>5.14.15</b>
Current Land Use: <b>UNDEVELOPED</b>	Anticipated Land Use: <b>MULTI-FAMILY RESIDENTIAL</b>
Provide Legal Description (if necessary attach separate page entitled "Legal Description for [Name of Applicant]": <b>SEE ATTACHED</b>	

Specify other recently approved or pending requests related to the subject property. Circle the answer(s).  
**Annexation**  **Subdivision**  **Site Plan**  **Special Exception**  **Variance**  **Specify Other**

## APPLICANT & AGENT INFORMATION

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

Name of Current Owner: <b>CADENCE BANK</b>	<b>205-488-3338</b>
Mailing Address: <b>2100 3RD AVE. NORTH SUITE 1100 BIRMINGHAM, AL 35203</b>	Phone/Fax: E-mail:
Name of Authorized Agent:	
Mailing Address:	Phone/Fax: E-mail:
Name of Developer*: <del>VILLAS AT ST. CHARLES DEV CO 2015, LLC</del> <b>FORTUNA - ST. CHARLES DEVELOPMENT, LLC.</b>	Phone/Fax: <b>251-625-1198</b> <b>251-650-1643</b> E-mail: <b>ncox@battleplancapital.com</b>
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: <b>Charles Pennell V.P. Cadence Bank</b>	Date: <b>3/24/15</b>
Agent's Signature:	Date:

## EXHIBIT A

### LEGAL DESCRIPTION FOR 6.19 ACRES

BEGINNING AT A 1/2 INCH CAPPED REBAR (LS #10675) AT THE NORTHWEST CORNER OF LOT 1 OF BOLAR VIEW SUBDIVISION, AS SHOWN BY MAP OR PLAT THEREOF, RECORDED AT SLIDE 1532-A, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA AND RUN THENCE SOUTH 01 DEGREES 04 MINUTES 08 SECONDS WEST, ALONG THE EAST RIGHT-OF-WAY OF POLLARD ROAD, A DISTANCE OF 328.91 FEET TO A 2 INCH CRIMP TOP IRON PIPE; THENCE RUN SOUTH 88 DEGREES 58 MINUTES 56 SECONDS EAST, A DISTANCE OF 163.13 FEET TO A 1/2 INCH CAPPED REBAR (LS #10675); THENCE RUN SOUTH 00 DEGREES 49 MINUTES 24 SECONDS WEST, A DISTANCE OF 107.87 FEET TO A 1/2 INCH CAPPED REBAR (LS #10675); THENCE RUN SOUTH 89 DEGREES 08 MINUTES 33 SECONDS EAST, A DISTANCE OF 200.79 FEET TO A 1/2 INCH CAPPED REBAR; THENCE RUN SOUTH 00 DEGREES 45 MINUTES 29 SECONDS WEST, A DISTANCE OF 119.64 FEET TO A 1/2 INCH CAPPED REBAR (LS #10675); THENCE RUN SOUTH 88 DEGREES 52 MINUTES 30 SECONDS EAST, A DISTANCE OF 251.28 FEET TO A 1/2 INCH CAPPED REBAR (CA-0756-LS); THENCE RUN NORTH 01 DEGREES 42 MINUTES 21 SECONDS EAST, A DISTANCE OF 619.00 FEET TO A 5/8 INCH CAPPED REBAR (CA-007-LS); THENCE RUN NORTH 61 DEGREES 24 MINUTES 06 SECONDS WEST, A DISTANCE OF 69.56 FEET TO A 1/2 INCH REBAR; THENCE RUN NORTH 88 DEGREES 46 MINUTES 57 SECONDS WEST, A DISTANCE OF 253.23 FEET TO 1/2 INCH CAPPED REBAR (CA-0951-LS); THENCE RUN SOUTH 36 DEGREES 03 MINUTES 26 SECONDS EAST, A DISTANCE OF 22.95 FEET TO A 1/2 INCH CAPPED REBAR (CA-0393-LS); THENCE RUN SOUTH 63 DEGREES 07 MINUTES 11 SECONDS WEST, A DISTANCE OF 167.13 FEET TO A 1/2 INCH CAPPED REBAR (LS #10675); THENCE RUN NORTH 88 DEGREES 43 MINUTES 18 SECONDS WEST, A DISTANCE OF 174.49 FEET TO THE POINT OF BEGINNING.

LESS AND ACCEPT LOTS 1-3 OF BOLAR VIEW SUBDIVISION AS RECORDED ON SLIDE 1532A IN THE PROBATE RECORDS OF BALDWIN COUNTY, ALABAMA.

TRACT CONTAINS 6.19 ACRES, MORE OR LESS, AND LIES IN SECTION 21, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.



## **VILLAS AT ST. CHARLES VILLAGE PUD STANDARDS**

The total site for this PUD is 7.27 acres. Survey and legal description attached.

There are 23 proposed buildings within this PUD. Each building consists of 3 units, which is a total of 69 units, for an overall density of 9.49 units per acre. Each building has a footprint of approximately 50'x65'. In the front and on the first floor of each building, are located 3 garages (2 – 2 car garages and 1 – 1 car garage) for a total of 5 enclosed parking spaces. There are an additional 5 outdoor parking spaces. There is a 1 story unit located above the garages that consists of approximately 1,200 sq. ft. Then there are 2 – 2 story units, one consisting of approximately 1,480 sq. ft. and the other at approximately 1,635 sq. ft.

The maximum building height will not exceed those specified in the residential zoning districts of the Daphne Land Use and Development Ordinance, which is 2.5 stories or 35 ft. and building height as defined in the said Ordinance.

The proposed spacing between buildings will not be less than 20'. The minimum building setback proposed for this PUD is 25' from all exterior property lines. This is a proposed deviation from the 40' setback requirement for PUD developments. This development is not a highrise development and has the look of 2 story homes. In a residential development zoned R-4 or in the Innovative Design category of the Land Use Ordinance, the required setback is 25' from the front and rear property lines. We believe the nature of this development is such that excessive setbacks are not necessary.

### **Coverages and Open Space:**

The total building coverage is 74,750 sq. ft. (23 bldgs. @ 50'x65') or 23.60% of the total site.

Total roadways, sidewalks, and driveways coverage is 84,062 sq. ft. or 26.54% of the total site.

Drainage pond coverages are 13,435 sq. ft. or 4.24% of the total site.

The total coverage is 3.95 acres or 54.33% of the total site.

The remaining area is 3.32 acres or 45.67% of open space. This will be grassed/landscaped areas that is common property and maintained by the P.O.A.

There is an existing 0.5 acre site adjacent to this development that has a pool and clubhouse facility that was planned for the use of the existing condominium owners and for this development.

Roadways and utilities will be designed in accordance with the standards of the City of Daphne. The roadway is proposed to be private and maintained by the P.O.A. The proposed entrance to Pollard Road will be gated. An interior roadway connection will be made from the proposed roadway of this development with the existing roadway in the St. Charles Village Condominium development. The roadway system nor the gate will be maintained by the City of Daphne.

The stormwater management system will be designed in accordance with the standards of the City of Daphne. All stormwater facilities and structures will be maintained by the P.O.A. and not the City of Daphne.

A decorative fence will be installed along Pollard Road to match, as close as possible, with the existing fence in St. Charles Village Condominium. Due to all areas outside of the buildings being common area, a landscape plan will be prepared for the overall site to insure landscaping is designed around all buildings and entryway.

Following PUD approval, a Preliminary Plat application will be submitted for the entire site. Once approved, all of the infrastructure will be constructed. A Final Plat will be submitted for approval and recording. At that time the builder will obtain building permits and start construction on the buildings and the best estimate at this time is for 4 phases with 4-6 buildings constructed per phase.

Relative to the goals of the Comprehensive Plan:

Population and Economy-

This PUD will offer a desirable residential community with gated entrance, pool and clubhouse facility. The development meets the goal of diversification due to the building types not like any other in the City of Daphne.

Housing-

This development provides an alternative in housing type.

Open Space and Recreation-

This development has a pool and clubhouse facility for the use of the residents. All areas outside of the buildings are common areas with the majority of the site being lawns and landscaping .

Urban Design-

This development will provide for an aesthetically pleasing design for the area. The units will be designed to have a look similar to the existing condominium units. Decorative fencing and landscaping will be incorporated along Pollard Road.

This PUD will benefit the city in that it offers a form of building type like no other in the city. It offers an alternative to the housing market that will attract residents to the area. Being proposed as a gated community, it offers an element of security that many desire in today's market.

Most of the adjacent properties to the east and south are unincorporated and part of an older community. This site has been in the corporate limits of the City of Daphne for some time and zoned for multi-family residential development. The proposed development actually has less units than what the original zoning would have allowed. Even though these buildings have 3 units each, due to separate buildings, it has the look and feel of 2 story homes. To the north is an existing condominium that this project is extension of and will connect to and share in the P.O.A. responsibilities.



# RIVIERA UTILITIES

700 Whispering Pines Rd Daphne, AL 36526  
Phone (251)626-5000 – Fax (251) 626-5993

May 8, 2015

Steven Pumphrey  
Preble-Rish L.L.C.  
Consulting Engineers & Surveyors  
9949 Bellaton Ave  
Daphne, AL 36526

**Re: Preble-Rish L.L.C. – St. Charles Village Condominiums**

Dear Mr. Pumphrey:

This letter is to confirm that the **Preble-Rish L.L.C. – St. Charles Village Condominiums, located on the east side of Pollard Road and approximately a quarter of a mile south of County Road 64 in Daphne, Alabama** is inside Riviera Utilities' service area, according to the Territorial Act of 1985, and that we will provide electrical service to the site. In order to provide the best possible service when needed, please notify me before you are ready to break ground, so we may schedule a pre-construction meeting. In addition, we would like to request that as soon as your final plans are available, that you provide us with a copy.

If additional information is required, or if you need our assistance, please feel free to call. We look forward to serving your electrical needs in the near future.

Sincerely,

Michael Siladi  
Engineering Department  
Riviera Utilities  
251-626-5000

*Serving South Baldwin County*



# Daphne Utilities

Danny Lyndall.  
General Manager

---

## Board of Directors

Robert Segalla, Chairman  
Randy Fry, Vice Chairman  
Fenton Jenkins, Secretary Treasurer  
Billy Mayhand, Board Member  
Dane Haygood Mayor

May 12, 2015

Adrienne Jones  
Director of Community Development  
City of Daphne  
P.O. Box 400  
Daphne, AL 36526

RE: Villas at St. Charles Village

Daphne Utilities has reviewed the plans for the site referenced above and has the following comments/reviewers notes: All items have been addressed and approved.

Notify Daphne Utility Code Enforcement Officer of all utility installations.

Daphne Utilities has the willingness and capacity to provide the following services in support of this development:

(Note: Capacity fees and /or aid-to-construction fees may be applicable)

- . Water
  
- . Gas
  
- . Sewer

Natural Gas, Water, Sewer construction is to be built according to Daphne Utilities standard construction specifications. A copy of our standards is on our website [www.daphneutilities.com](http://www.daphneutilities.com). Please contact me if you have any questions.

Sincerely,

Rex Rentz

Daphne Utility Code Enforcement Officer

---

**AT&T  
NETWORK OPERATIONS-GULF**

**2001 Main St  
Daphne, AL 36526  
251-626-2913  
Jh0785@att.com**

05-12-2015  
Mr. Steve Pumphrey  
Daphne, AL  
**RE: PUD – Villas at St. Charles Village  
Daphne, Baldwin County, AL**

Dear Mr. Pumphrey:

This is in response to your request for confirmation of service availability by AT&T. The above referenced project/development is located in an area served by AT&T.

Prior to confirming service availability to this project, AT&T requires information such as proposed land use, density, site plans, and agreements with respect to service arrangements for the project. Please contact me at the telephone number or email address shown above to arrange for providing any information that you may not have included in this request for service availability. No preparatory work towards providing service will begin at this time.

General information regarding AT&T's service to commercial buildings can be obtained from AT&T's Building Industry Consulting Service (BICS) and at [www.att.com/bics](http://www.att.com/bics).

Thank you for contacting AT&T.

Sincerely,

Jeff

Jeffery A. Hadley  
Manager-Outside Plant  
Planning and Design  
2001 Main St  
Daphne, AL 36526  
251-626-2913

## **LEGAL DESCRIPTION FOR VILLAS AT ST. CHARLES VILLAGE PUD**

BEGINNING AT A 1/2 INCH CAPPED REBAR (LS #10675) AT THE NORTHWEST CORNER OT LOT 1 OF BOLAR VIEW SUBDIVISION, AS SHOWN BY MAP OR PLAT THEREOF, RECORDED AT SLIDE 1532-A, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA AND RUN THENCE SOUTH 01 DEGREES 04 MINUTES 08 SECONDS WEST, ALONG THE EAST RIGHT-OF-WAY OF POLLARD ROAD, A DISTANCE OF 328.91 FEET TO A 2 INCH CRIMP TOP IRON PIPE; THENCE RUN SOUTH 88 DEGREES 58 MINUTES 56 SECONDS EAST, A DISTANCE OF 163.13 FEET TO A 1/2 INCH CAPPED REBAR (LS #10675); THENCE RUN SOUTH 00 DEGREES 49 MINUTES 24 SECONDS WEST, A DISTANCE OF 107.87 FEET TO A 1/2 INCH CAPPED REBAR (LS #10675); THENCE RUN SOUTH 89 DEGREES 08 MINUTES 33 SECONDS EAST, A DISTANCE OF 200.79 FEET TO A 1/2 INCH CAPPED REBAR; THENCE RUN SOUTH 00 DEGREES 45 MINUTES 29 SECONDS WEST, A DISTANCE OF 119.64 FEET TO A 1/2 INCH CAPPED REBAR (LS #10675); THENCE RUN SOUTH 88 DEGREES 52 MINUTES 30 SECONDS EAST, A DISTANCE OF 251.28 FEET TO A 1/2 INCH CAPPED REBAR (CA-0756-LS); THENCE RUN NORTH 01 DEGREES 42 MINUTES 21 SECONDS EAST, A DISTANCE OF 619.00 FEET TO A 5/8 INCH CAPPED REBAR (CA-007-LS); THENCE RUN NORTH 61 DEGREES 24 MINUTES 06 SECONDS WEST, A DISTANCE OF 69.56 FEET TO A 1/2 INCH REBAR; THENCE RUN NORTH 88 DEGREES 46 MINUTES 57 SECONDS WEST, A DISTANCE OF 253.23 FEET TO 1/2 INCH CAPPED REBAR (CA-0951-LS); THENCE RUN SOUTH 36 DEGREES 03 MINUTES 26 SECONDS EAST, A DISTANCE OF 22.95 FEET TO A 1/2 INCH CAPPED REBAR (CA-0393-LS); THENCE RUN SOUTH 63 DEGREES 07 MINUTES 11 SECONDS WEST, A DISTANCE OF 167.13 FEET TO A 1/2 INCH CAPPED REBAR (LS #10675); THENCE RUN NORTH 88 DEGREES 43 MINUTES 18 SECONDS WEST, A DISTANCE OF 174.49 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 7.27 ACRES, MORE OR LESS, AND LIES IN SECTION 21, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.



REV.	DATE	DESCRIPTION
1	4/12/05	REV. PER D.D.

**DESIGN GROUP INC.**  
**ARCHITECTS**  
 4805 W. WINDY HILL BLVD.  
 SUITE 100  
 TAMPA, FL 33611  
 PH: 813.973.1111  
 WWW.DSGROUPINC.COM

**ARCHITECT:**  
 WILLIAM H. SEEL  
 P.L.A. REG. NO. 11750-0000

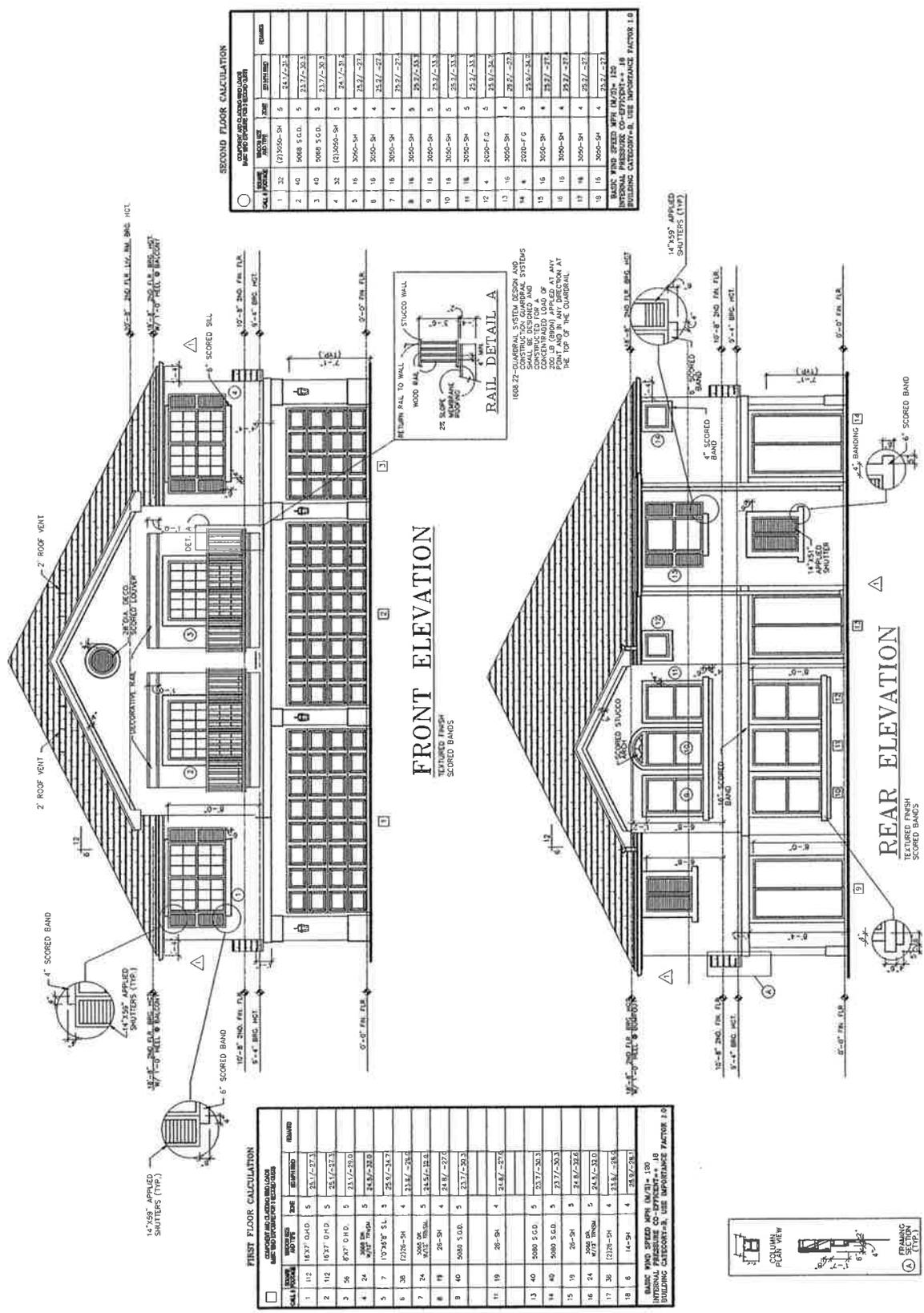
**D. R. HOKON**  
*America's Builder*  
 www.drhorton.com  
 CR050500

**TAMPA PAH**  
**SADDLE CREEK**  
**LITTLE CREEK**

PASCO COUNTY  
**FRONT & REAR ELEVATIONS**

WILLIAM H. SEEL  
 P.L.A. REG. NO. 11750-0000  
 DATE: \_\_\_\_\_  
 SEAL: \_\_\_\_\_

DATE: 4/12/05  
 SCALE: 1/4" = 1'-0"  
 SHEET: A5 of 6



**SECOND FLOOR CALCULATION**

CONCRETE AND STEEL MOMENT RESISTING FRAME WITH BRACING SYSTEMS  
 CALL TO ACTION: SEE THE DESIGN GROUP INC. WEBSITE FOR MORE INFORMATION

CALL TO ACTION	NO. OF	TYPE	SPACING	REMARKS
1	32	(2) 3000-SH	5	24.7/-27.1
2	40	5088 S.C.D.	5	23.7/-20.3
3	40	5088 S.C.D.	5	23.7/-20.3
4	32	(2) 3000-SH	5	24.7/-27.1
5	16	3000-SH	4	23.7/-27.1
6	16	3000-SH	4	23.7/-27.1
7	16	3000-SH	4	23.7/-27.1
8	16	3000-SH	4	23.7/-27.1
9	16	3000-SH	5	23.7/-20.3
10	16	3000-SH	5	23.7/-20.3
11	16	3000-SH	5	23.7/-20.3
12	4	2000-F.C.	5	23.7/-20.3
13	16	3000-SH	4	23.7/-27.1
14	6	2000-F.C.	5	23.7/-20.3
15	16	3000-SH	4	23.7/-27.1
16	16	3000-SH	4	23.7/-27.1
17	16	3000-SH	4	23.7/-27.1
18	16	3000-SH	4	23.7/-27.1

MINIMUM WIND SPEED MPH (M/3) = 130  
 INTERNAL PRESSURE CO-EFFICIENT = 0.18  
 BUILDING CATEGORY = B, USE IMPORTANCE FACTOR 1.0

**FIRST FLOOR CALCULATION**

CONCRETE AND STEEL MOMENT RESISTING FRAME WITH BRACING SYSTEMS  
 CALL TO ACTION: SEE THE DESIGN GROUP INC. WEBSITE FOR MORE INFORMATION

CALL TO ACTION	NO. OF	TYPE	SPACING	REMARKS
1	112	18X7 0.4.0.	5	23.7/-27.1
2	112	18X7 0.1.0.	5	23.7/-27.1
3	56	18X7 0.1.0.	5	23.7/-27.1
4	24	20X12 0.1.0.	5	24.8/-28.0
5	7	17X14 0.1.0.	5	23.7/-27.1
6	38	(2) 28-SH	4	23.8/-28.1
7	24	3000-SH	5	23.7/-20.3
8	19	28-SH	4	24.8/-28.0
9	40	5088 S.C.D.	5	23.7/-20.3
10	40	5088 S.C.D.	5	23.7/-20.3
11	19	28-SH	4	24.8/-28.0
12	4	2000-F.C.	5	23.7/-20.3
13	40	5088 S.C.D.	5	23.7/-20.3
14	40	5088 S.C.D.	5	23.7/-20.3
15	19	28-SH	5	24.8/-28.0
16	24	20X12 0.1.0.	5	24.8/-28.0
17	38	(2) 28-SH	4	23.8/-28.1
18	6	14-SH	4	23.7/-27.1

MINIMUM WIND SPEED MPH (M/3) = 130  
 INTERNAL PRESSURE CO-EFFICIENT = 0.18  
 BUILDING CATEGORY = B, USE IMPORTANCE FACTOR 1.0

DATE	DESCRIPTION
4/7/05	REV. P. 01

**ARCHITECTS**



**Design Group Inc.**  
 ENGINEERS  
 4815 WALKER BLVD., SUITE 100  
 TAMPA, FL 33609  
 PHONE: 813.288.1100  
 FAX: 813.288.1101  
 WWW.DESIGNGROUPINC.COM

ARCHITECT:  
 DESIGN GROUP INC.  
 TAMPA, FL 33609  
 P.L.A. REG. NO. AR 50048

**D-HORTON**  
 America's Builder  
 www.dhorton.com  
 ER0505000

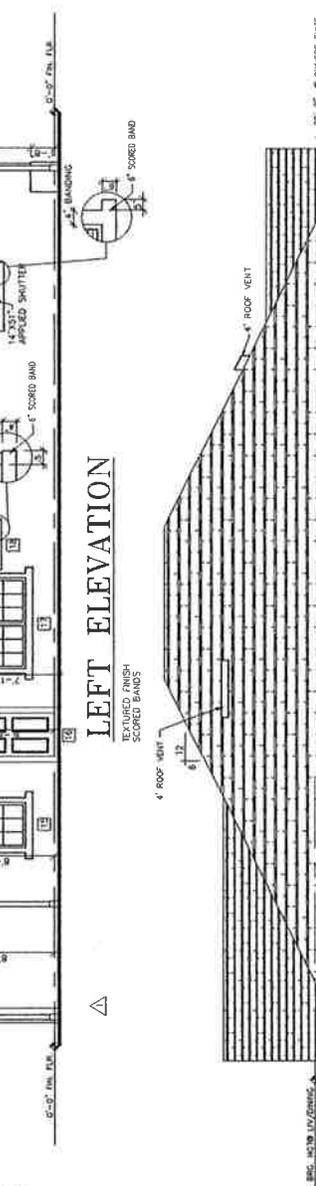
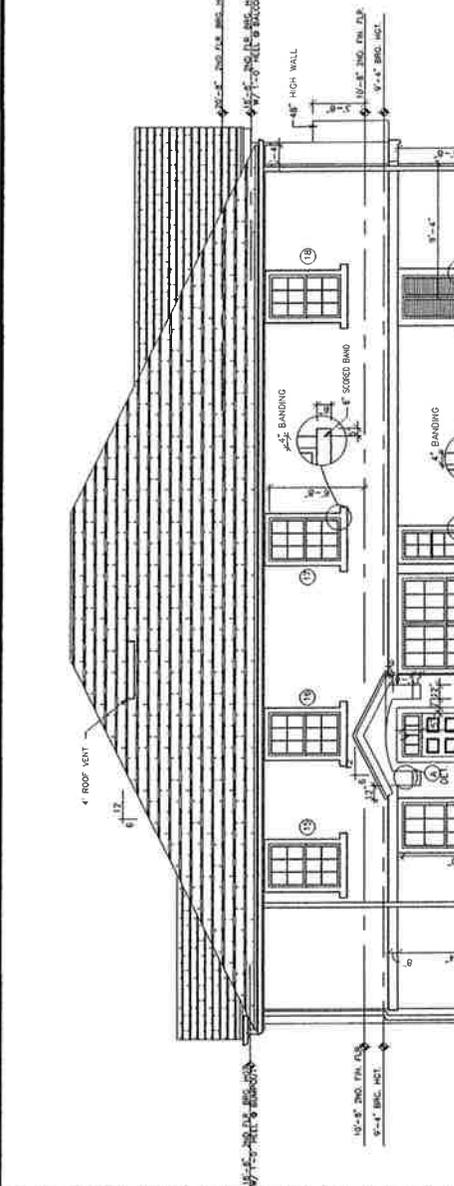
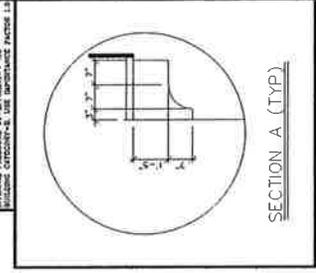
TAMPA #A  
 SADDLE CREEK  
 LITTLE CREEK

PASCO COUNTY  
 LEFT &  
 RIGHT  
 ELEVATIONS

DATE: 4/12/05  
 SCALE: 1/8" = 1'-0"  
 SHEET: A6 of 6

**SECOND FLOOR CALCULATION**

NO.	AREA	UNIT WEIGHT	LOAD	IMPACT	WIND	SEISMIC	REMARKS
1	112	10/17	0.4	5			
2	112	10/17	0.4	5			
3	56	10/17	0.4	5			
4	24	10/17	0.4	5			
5	7	10/17	0.4	5			
6	58	10/17	0.4	5			
7	24	10/17	0.4	5			
8	18	10/17	0.4	5			
9	10	10/17	0.4	5			
10	18	10/17	0.4	5			
11	18	10/17	0.4	5			
12	4	10/17	0.4	5			
13	18	10/17	0.4	5			
14	18	10/17	0.4	5			
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17	18	10/17	0.4	5			
18	18	10/17	0.4	5			
19	18	10/17	0.4	5			
20	18	10/17	0.4	5			
21	4	10/17	0.4	5			
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98	18	10/17	0.4	5			
99	18	10/17	0.4	5			
100	18	10/17	0.4	5			



**FIRST FLOOR CALCULATION**

NO.	AREA	UNIT WEIGHT	LOAD	IMPACT	WIND	SEISMIC	REMARKS
1	112	10/17	0.4	5			
2	112	10/17	0.4	5			
3	56	10/17	0.4	5			
4	24	10/17	0.4	5			
5	7	10/17	0.4	5			
6	58	10/17	0.4	5			
7	24	10/17	0.4	5			
8	18	10/17	0.4	5			
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57	18	10/17	0.4	5			
58	18	10/17	0.4	5			
59	18	10/17	0.4	5			
60	18	10/17	0.4	5			
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62	18	10/17	0.4	5			
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65	18	10/17	0.4	5			
66	18	10/17	0.4	5			
67	18	10/17	0.4	5			
68	18	10/17	0.4	5			
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83	18	10/17	0.4	5			
84	18	10/17	0.4	5			
85	18	10/17	0.4				

*6.19*  
**ADJACENT PROPERTY OWNERS TO 6.2 ACRE SITE**

Pid	Owner	Address1	City	St	Zip
05-43-05-21-0-000-020.004	NEWMAN, ARNOLD	25719 NEWMAN RD	DAPHNE	AL	36526
05-43-04-20-1-000-072.000	KING, FRANCINE ETAL MOORE, GAYLE; HUNTER	1501 POLLARD RD	DAPHNE	AL	36526
05-43-05-21-0-000-012.000	CLAUSELL, RUTH S ETAL STALLWORTH, CALVIN	25648 POLLARD RD	DAPHNE	AL	36526
05-43-05-21-0-000-019.000	SOUTHERN IMAGES L L C	P O BOX 37	FAIRHOPE	AL	36533
05-43-04-20-1-000-073.000	HENINGBURG, PATRICIA ANITA	9180 SHADOW CK LN APT 106	CONVERSE	TX	78109
05-43-05-21-0-000-020.003	NEWMAN, LARRY	25719 NEWMAN RD	DAPHNE	AL	36526
05-43-05-21-0-000-018.000	KING, HENRY T & LUCILLE	P O BOX 23	DAPHNE	AL	36526
05-43-05-21-0-000-006.000	JBSM DEVELOPMENT COMPANY L L C	P O BOX 241402	MONTGOMERY	AL	36124
05-43-05-21-0-000-016.000	DALE, LENA MAE	P O BOX 189	MONTROSE	AL	36559
05-43-05-21-0-000-020.000	NEWMAN, ARNOLD ETAL NEWMAN, BETTY	25719 NEWMAN RD	DAPHNE	AL	36526
05-43-05-21-0-000-006.003	AUDUBON PARK APARTMENTS L L C	PO BOX 450233	ATLANTA	GA	31145
05-43-05-21-0-000-007.000	ST CHARLES VILLAGE (MASTERCARD)	8757 RAND AVENUE SUITE C	DAPHNE	AL	36526
05-43-05-21-0-000-015.000	YOUNG, OSCAR & ORA BELL	45640 OLD CARNEY RD	BAY MINETTE	AL	36507
05-43-05-21-0-000-011.001	YOUNG, WILLIE LEE	25602 POLLARD RD	DAPHNE	AL	36526
05-43-05-21-0-000-007.001	ST CHARLES VILLAGE (MASTERCARD)	8757 RAND AVENUE SUITE C	DAPHNE	AL	36526
05-43-05-21-0-000-009.000	WHITE, VERA	25738 POLLARD RD	DAPHNE	AL	36526
05-43-05-21-0-000-011.002	CLAUSELL, RUTH S ETAL STALLWORTH, CALVIN	25648 POLLARD RD	DAPHNE	AL	36526
05-43-05-21-0-000-010.002	CADENCE BANK	2100 3RD AVE NORTH STE 1100	BIRMINGHAM	AL	35203
05-43-05-21-0-000-011.003	CADENCE BANK	2100 3RD AVE NORTH STE 1100	BIRMINGHAM	AL	35203
05-43-05-21-0-000-011.004	CADENCE BANK	2100 3RD AVE NORTH STE 1100	BIRMINGHAM	AL	35203

DANE HAYGOOD  
MAYOR



ADRIENNE D. JONES  
COMMUNITY DEVELOPMENT  
DIRECTOR/ZONING ADMINISTRATOR

CITY COUNCIL  
TOMMIE CONAWAY  
DISTRICT 1  
PAT RUDICELL  
DISTRICT 2  
JOHN L. LAKE  
DISTRICT 3  
RANDY FRY  
DISTRICT 4  
RON SCOTT  
DISTRICT 5  
ROBIN LEJEUNE  
DISTRICT 6  
JOE DAVIS, III  
DISTRICT 7

April 10, 2015

#### NOTICE OF PUBLIC HEARING

A petition for REZONING will be considered by the Daphne Planning Commission for Cadence Bank consisting of 6.2 acres +/- located one quarter mile south of the intersection of County Road 64 and Pollard Road to be rezoned from an R-4, High Density Multi-Family Residential, to a PUD, Planned Unit Development District.

Said petition will also be considered by the Daphne City Council pursuant to Alabama Code 11-52-85. The application is available for review at City Hall in the Department of Community Development, 1705 Main Street, during regular business hours. An informal site preview meeting will be held on Wednesday, April 15, 2015 at 9:30 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, April 23, 2015 at 5:00 p.m. in the Council Chambers of City Hall. You may submit your views in writing, in person, by fax or by representation.

Sincerely,  
Adrienne D. Jones  
Director of Community Development

Cadence Bank Zoning Amendment

**REZONING FOR CADENCE BANK**  
**THE VILLAS OF**  
**ST. CHARLES VILLAGE PUD**



## **COMMUNITY DEVELOPMENT**

### **Rezoning Request Pollard Road, south of intersection of County Road 64 (Cadence Bank) 6.19 acres**

**Owner:** Cadence Bank

**Existing Conditions:** 6.19\* acres of undeveloped land

**Existing Zoning:** R-4, High Density Multi-Family Residential

**Proposed Zoning:** Planned Unit Development (PUD)

**Surrounding Zonings/Uses:**

North – R-4, High Density Multi-Family Residential

South - Baldwin County RSF-2, Single Family Residential

West –R-4, High Density Single Family Residential

East – Baldwin County RSF-2, Single Family Residential

**Existing Utility Service Providers:**

Water - Daphne Utilities

Sewer - Daphne Utilities

Gas - Daphne Utilities

Electric - Riviera Utilities

**Affected City Service Providers:**

Fire Protection— Station 2

Police Protection—Police Beat 1

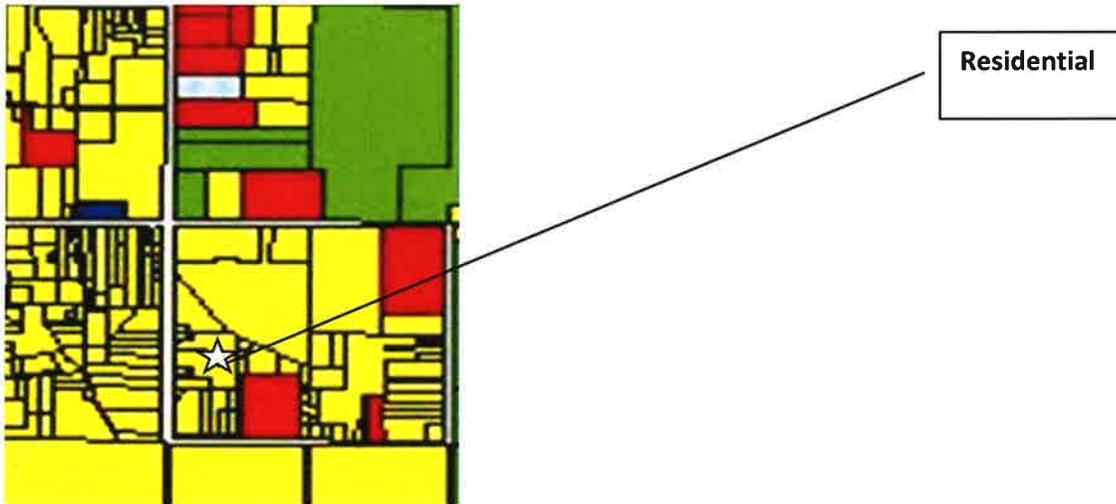
Public Works

Baldwin County Schools—n/a

*\*The legal description for the property has been modified since the Planning Commission's April 2015 meeting. The property is 6.19 acres rather than 6.2 acres.*

**FROM THE 2000-2020 COMPREHENSIVE PLAN (adopted on June 26, 2003):  
Comprehensive Plan**

The Comprehensive Plan designates this area as a residential use. Therefore, the requested zoning is consistent with the Future Land Use Designation.



**Related applications on same agenda:** 1.08 acres Pre-Zoning Request and Annexation Request by Cadence Bank.

**CITY OF DAPHNE, ALABAMA  
ORDINANCE NO. 2015-**

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**Ordinance to Rezone Property Located  
One Quarter Mile South of the Intersection of County Road 64 and Pollard Road  
Cadence Bank**

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**WHEREAS**, Cadence Bank as the owner of certain real property located within the City of Daphne, Alabama, has requested that said property be rezoned R-4, High Density Multi-Family Residential District to PUD, Planned Unit Development District; and,

**WHEREAS**, said real property is located one quarter mile south of the intersection of County Road 64 and Pollard Road, and more particularly described as follows:

**LEGAL DESCRIPTION FOR 6.19 ACRES**

BEGINNING AT A 1/2 INCH CAPPED REBAR (LS #10675) AT THE NORTHWEST CORNER OF LOT 1 OF BOLAR VIEW SUBDIVISION, AS SHOWN BY MAP OR PLAT THEREOF, RECORDED AT SLIDE 1532-A, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA AND RUN THENCE SOUTH 01 DEGREES 04 MINUTES 08 SECONDS WEST, ALONG THE EAST RIGHT-OF-WAY OF POLLARD ROAD, A DISTANCE OF 328.91 FEET TO A 2 INCH CRIMP TOP IRON PIPE; THENCE RUN SOUTH 88 DEGREES 58 MINUTES 56 SECONDS EAST, A DISTANCE OF 163.13 FEET TO A 1/2 INCH CAPPED REBAR (LS #10675); THENCE RUN SOUTH 00 DEGREES 49 MINUTES 24 SECONDS WEST, A DISTANCE OF 107.87 FEET TO A 1/2 INCH CAPPED REBAR (LS #10675); THENCE RUN SOUTH 89 DEGREES 08 MINUTES 33 SECONDS EAST, A DISTANCE OF 200.79 FEET TO A 1/2 INCH CAPPED REBAR; THENCE RUN SOUTH 00 DEGREES 45 MINUTES 29 SECONDS WEST, A DISTANCE OF 119.64 FEET TO A 1/2 INCH CAPPED REBAR (LS #10675); THENCE RUN SOUTH 88 DEGREES 52 MINUTES 30 SECONDS EAST, A DISTANCE OF 251.28 FEET TO A 1/2 INCH CAPPED REBAR (CA-0756-LS); THENCE RUN NORTH 01 DEGREES 42 MINUTES 21 SECONDS EAST, A DISTANCE OF 619.00 FEET TO A 5/8 INCH CAPPED REBAR (CA-007-LS); THENCE RUN NORTH 61 DEGREES 24 MINUTES 06 SECONDS WEST, A DISTANCE OF 69.56 FEET TO A 1/2 INCH REBAR; THENCE RUN NORTH 88 DEGREES 46 MINUTES 57 SECONDS WEST, A DISTANCE OF 253.23 FEET TO 1/2 INCH CAPPED REBAR (CA-0951-LS); THENCE RUN SOUTH 36 DEGREES 03 MINUTES 26 SECONDS EAST, A DISTANCE OF 22.95 FEET TO A 1/2 INCH CAPPED REBAR (CA-0393-LS); THENCE RUN SOUTH 63 DEGREES 07 MINUTES 11 SECONDS WEST, A DISTANCE OF 167.13 FEET TO A 1/2 INCH CAPPED REBAR (LS #10675); THENCE RUN NORTH 88 DEGREES 43 MINUTES 18 SECONDS WEST, A DISTANCE OF 174.49 FEET TO THE POINT OF BEGINNING.

LESS AND ACCEPT LOTS 1-3 OF BOLAR VIEW SUBDIVISION AS RECORDED ON SLIDE 1532A IN THE PROBATE RECORDS OF BALDWIN COUNTY, ALABAMA.

TRACT CONTAINS 6.19 ACRES, MORE OR LESS, AND LIES IN SECTION 21, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.

**WHEREAS**, at the City of Daphne Planning Commission meeting on April 23, 2015 the Commission considered said request and set forth a unanimous favorable recommendation to the City Council of the City of Daphne that said property be rezoned; and,

**WHEREAS**, due notice of said proposed rezoning has been provided to the public as required by law through publication and open display at the Daphne Public Library and City Hall, a public hearing was held before the City Council on July 6, 2015; and,

WHEREAS, the City Council of the City of Daphne after due consideration and upon consideration of the recommendation of the Planning Commission, and the public hearing deemed that said application for rezoning of the above described real property is proper and in the best interest of the health, safety and welfare of the citizens of the City of Daphne, Alabama.

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

**SECTION I: ZONING**

That above described real property is hereby rezoned from R-4, High Density Multi-Family Residential District to PUD, Planned Unit Development District, and that the zoning ordinance and zoning map be amended to reflect the said zoning change.

**SECTION III: 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 IV: 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 V: EFFECTIVE DATE.**

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

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
**Dane Haygood,**  
**Mayor**

ATTEST:

\_\_\_\_\_  
**Rebecca A. Hayes, City Clerk**

PLEASE Publish in the Bulletin Legal Section on Wednesday,  
June 3, 2015

**FIRST NOTICE OF PUBLIC HEARING**

Notice is hereby given the first time that the City Council of the City of Daphne will hold a Public Hearing on July 06, 2015 at 6:30 pm in the Council Chambers at City Hall, 1705 Main Street, Daphne, Alabama. The public is welcome to attend and offer comments opposing or favoring a proposed Ordinance rezoning certain property from R-4, High Density Multi-Family Residential District to PUD, Planned Unit Development District as presented below. Any person with an American's with Disabilities Act disability must contact the City Clerk's office ten days prior to the Public Hearing, in order for accommodations to be made.

Rebecca A. Hayes, City Clerk, MMC

**PROPOSED ORDINANCE:**

**CITY OF DAPHNE, ALABAMA  
ORDINANCE NO. 2015-**

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**Ordinance to Rezone Property Located  
One Quarter Mile South of the Intersection of County Road 64 and Pollard Road  
Cadence Bank**

---

**WHEREAS,** Cadence Bank as the owner of certain real property located within the City of Daphne, Alabama, has requested that said property be rezoned from R-4, High Density Multi-Family Residential District to PUD, Planned Unit Development District; and,

**WHEREAS,** said real property is located one quarter mile south of the intersection of County Road 64 and Pollard Road, and more particularly described as follows:

**LEGAL DESCRIPTION FOR 6.19 ACRES**

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PLEASE Publish in the Bulletin Legal Section on Wednesday, June 10, 2015

SECOND NOTICE OF PUBLIC HEARING

Notice is hereby given the second time, the first notice was given June 3, 2015, that the City Council of the City of Daphne will hold a Public Hearing on July 06, 2015 at 6:30 pm in the Council Chambers at City Hall, 1705 Main Street, Daphne, Alabama. The public is welcome to attend and offer comments opposing or favoring a proposed Ordinance pre-zoning certain property from R-4, High Density Multi-Family Residential District to PUD, Planned Unit Development District as presented below. Any person with an American's with Disabilities Act disability must contact the City Clerk's office ten days prior to the Public Hearing, in order for accommodations to be made.

Rebecca A. Hayes, City Clerk

**PROPOSED ORDINANCE:**

**CITY OF DAPHNE, ALABAMA  
ORDINANCE NO. 2015-**

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**Ordinance to Rezone Property Located  
One Quarter Mile South of the Intersection of County Road 64 and Pollard Road  
Cadence Bank**

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BEGINNING AT A 1/2 INCH CAPPED REBAR (LS #10675) AT THE NORTHWEST CORNER OT LOT 1 OF BOLAR VIEW SUBDIVISION, AS SHOWN BY MAP OR PLAT THEREOF, RECORDED AT SLIDE 1532-A, PROBATE RECORDS,

MEMORANDUM

To: Office of the City Clerk  
From: Adrienne D. Jones, <sup>5.18.15</sup>  
Director of Community Development  
Subject: Cadence Bank  
Pre-Zoning Amendment

Reference: Lots 1, 2 & 3, Bolar View  
Subdivision

Date: April 24, 2015

**PRESENT ZONING:** RSF-2, Single Family District, Baldwin  
County District 15

**PROPOSED PRE-ZONING:** PUD, Planned Unit Development District,  
City of Daphne

**LOCATION:** One quarter mile south of the  
intersection of County Road 64 and  
Pollard Road

**RECOMMENDATION:** At the Thursday, April 23, 2015, regular  
meeting of the Daphne Planning Commission,  
six members were present. The motion carried  
for an **unanimous favorable recommendation** to  
the City Council of the pre-zoning of the  
subject property for Cadence Bank as a PUD,  
Planned Unit Development District.

Attached please find documentation from the Office of  
Community Development. Ordinances shall be provided by  
the Office of the City Attorney.

Thank you,  
ADJ/jv

cc: file

attachment(s)

- 1. Pre-zoning Application
- 2. Legal Description
- 3. Boundary Survey
- 3. Adjacent property owners' list
- 4. Community Development Report



## REZONING OR PRE-ZONING APPLICATION

Office use only	Date Submitted: <b>March 23, 2014</b>
Application Number: ZA-                      or                      PZA- <b>13-02</b>	Planning Commission Public Hearing Date: <b>April 23, 2014</b>

*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): <b>1/4 MILE SOUTH OF INTERSECTION OF COUNTY ROAD 64 AND POLLARD ROAD</b>	PPIN#(s): <b>200460 200461 200462</b>
Gross Site Area (acreage): <b>1.08 ACRES</b>	Requested Zoning or Pre-Zoning: <b>PUD</b>
Current Zoning Designation(s): <b>RSF-2 BALDWIN COUNTY DISTRICT 15 (PROPOSED ANNEXATION INTO CITY)</b>	Amended Request: Initials:                      Date:
Current Land Use: <b>UNDEVELOPED</b>	Anticipated Land Use: <b>MULTI-FAMILY RESIDENTIAL</b>
Provide Legal Description (if necessary attach separate page entitled "Legal Description for [Name of Applicant]": <b>SEE ATTACHED</b>	

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

<i>*If an LLC or LLP or Corporation, provide name and signature of Registered Member or Agent and provide a copy of Articles of Incorporation.</i>	
Name of Current Owner: <b>CADENCE BANK</b>	<b>205-488-3338</b>
Mailing Address: <b>2100 3RD AVE NORTH SUITE 1100 BIRMINGHAM, AL 35203</b>	Phone/Fax: E-mail:
Name of Authorized Agent:	
Mailing Address:	Phone/Fax: E-mail:
Name of Developer*: <b><del>VILLAS AT ST. CHARLES DEV. CO. 2015, LLC</del></b>	Phone/Fax: <b>251-625-1198</b> E-mail: <b>ncox@battleplancapital.com</b>
Other: <b>FORTUNA - ST. CHARLES DEVELOPMENT, LLC</b>	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: <b>Charles Powell V.P. Cadence Bank</b>	Date: <b>3/24/15</b>
Agent's Signature:	Date:

**EXHIBIT A**

**LEGAL DESCRIPTION FOR CADENCE BANK**

LOTS 1-3 OF BOLAR VIEW SUBDIVISION AS RECORDED ON SLIDE 1532A IN THE  
PROBATE RECORDS OF BALDWIN COUNTY, ALABAMA.



## **VILLAS AT ST. CHARLES VILLAGE PUD STANDARDS**

The total site for this PUD is 7.27 acres. Survey and legal description attached.

There are 23 proposed buildings within this PUD. Each building consists of 3 units, which is a total of 69 units, for an overall density of 9.49 units per acre. Each building has a footprint of approximately 50'x65'. In the front and on the first floor of each building, are located 3 garages (2 – 2 car garages and 1 – 1 car garage) for a total of 5 enclosed parking spaces. There are an additional 5 outdoor parking spaces. There is a 1 story unit located above the garages that consists of approximately 1,200 sq. ft. Then there are 2 – 2 story units, one consisting of approximately 1,480 sq. ft. and the other at approximately 1,635 sq. ft.

The maximum building height will not exceed those specified in the residential zoning districts of the Daphne Land Use and Development Ordinance, which is 2.5 stories or 35 ft. and building height as defined in the said Ordinance.

The proposed spacing between buildings will not be less than 20'. The minimum building setback proposed for this PUD is 25' from all exterior property lines. This is a proposed deviation from the 40' setback requirement for PUD developments. This development is not a highrise development and has the look of 2 story homes. In a residential development zoned R-4 or in the Innovative Design category of the Land Use Ordinance, the required setback is 25' from the front and rear property lines. We believe the nature of this development is such that excessive setbacks are not necessary.

### **Coverages and Open Space:**

The total building coverage is 74,750 sq. ft. (23 bldgs. @ 50'x65') or 23.60% of the total site.

Total roadways, sidewalks, and driveways coverage is 84,062 sq. ft. or 26.54% of the total site.

Drainage pond coverages are 13,435 sq. ft. or 4.24% of the total site.

The total coverage is 3.95 acres or 54.33% of the total site.

The remaining area is 3.32 acres or 45.67% of open space. This will be grassed/landscaped areas that is common property and maintained by the P.O.A.

There is an existing 0.5 acre site adjacent to this development that has a pool and clubhouse facility that was planned for the use of the existing condominium owners and for this development.

Roadways and utilities will be designed in accordance with the standards of the City of Daphne. The roadway is proposed to be private and maintained by the P.O.A. The proposed entrance to Pollard Road will be gated. An interior roadway connection will be made from the proposed roadway of this development with the existing roadway in the St. Charles Village Condominium development. The roadway system nor the gate will be maintained by the City of Daphne.

The stormwater management system will be designed in accordance with the standards of the City of Daphne. All stormwater facilities and structures will be maintained by the P.O.A. and not the City of Daphne.

A decorative fence will be installed along Pollard Road to match, as close as possible, with the existing fence in St. Charles Village Condominium. Due to all areas outside of the buildings being common area, a landscape plan will be prepared for the overall site to insure landscaping is designed around all buildings and entryway.

Following PUD approval, a Preliminary Plat application will be submitted for the entire site. Once approved, all of the infrastructure will be constructed. A Final Plat will be submitted for approval and recording. At that time the builder will obtain building permits and start construction on the buildings and the best estimate at this time is for 4 phases with 4-6 buildings constructed per phase.

Relative to the goals of the Comprehensive Plan:

Population and Economy-

This PUD will offer a desirable residential community with gated entrance, pool and clubhouse facility. The development meets the goal of diversification due to the building types not like any other in the City of Daphne.

Housing-

This development provides an alternative in housing type.

Open Space and Recreation-

This development has a pool and clubhouse facility for the use of the residents. All areas outside of the buildings are common areas with the majority of the site being lawns and landscaping .

Urban Design-

This development will provide for an aesthetically pleasing design for the area. The units will be designed to have a look similar to the existing condominium units. Decorative fencing and landscaping will be incorporated along Pollard Road.

This PUD will benefit the city in that it offers a form of building type like no other in the city. It offers an alternative to the housing market that will attract residents to the area. Being proposed as a gated community, it offers an element of security that many desire in today's market.

Most of the adjacent properties to the east and south are unincorporated and part of an older community. This site has been in the corporate limits of the City of Daphne for some time and zoned for multi-family residential development. The proposed development actually has less units than what the original zoning would have allowed. Even though these buildings have 3 units each, due to separate buildings, it has the look and feel of 2 story homes. To the north is an existing condominium that this project is extension of and will connect to and share in the P.O.A. responsibilities.

## **LEGAL DESCRIPTION FOR VILLAS AT ST. CHARLES VILLAGE PUD**

BEGINNING AT A 1/2 INCH CAPPED REBAR (LS #10675) AT THE NORTHWEST CORNER OT LOT 1 OF BOLAR VIEW SUBDIVISION, AS SHOWN BY MAP OR PLAT THEREOF, RECORDED AT SLIDE 1532-A, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA AND RUN THENCE SOUTH 01 DEGREES 04 MINUTES 08 SECONDS WEST, ALONG THE EAST RIGHT-OF-WAY OF POLLARD ROAD, A DISTANCE OF 328.91 FEET TO A 2 INCH CRIMP TOP IRON PIPE; THENCE RUN SOUTH 88 DEGREES 58 MINUTES 56 SECONDS EAST, A DISTANCE OF 163.13 FEET TO A 1/2 INCH CAPPED REBAR (LS #10675); THENCE RUN SOUTH 00 DEGREES 49 MINUTES 24 SECONDS WEST, A DISTANCE OF 107.87 FEET TO A 1/2 INCH CAPPED REBAR (LS #10675); THENCE RUN SOUTH 89 DEGREES 08 MINUTES 33 SECONDS EAST, A DISTANCE OF 200.79 FEET TO A 1/2 INCH CAPPED REBAR; THENCE RUN SOUTH 00 DEGREES 45 MINUTES 29 SECONDS WEST, A DISTANCE OF 119.64 FEET TO A 1/2 INCH CAPPED REBAR (LS #10675); THENCE RUN SOUTH 88 DEGREES 52 MINUTES 30 SECONDS EAST, A DISTANCE OF 251.28 FEET TO A 1/2 INCH CAPPED REBAR (CA-0756-LS); THENCE RUN NORTH 01 DEGREES 42 MINUTES 21 SECONDS EAST, A DISTANCE OF 619.00 FEET TO A 5/8 INCH CAPPED REBAR (CA-007-LS); THENCE RUN NORTH 61 DEGREES 24 MINUTES 06 SECONDS WEST, A DISTANCE OF 69.56 FEET TO A 1/2 INCH REBAR; THENCE RUN NORTH 88 DEGREES 46 MINUTES 57 SECONDS WEST, A DISTANCE OF 253.23 FEET TO 1/2 INCH CAPPED REBAR (CA-0951-LS); THENCE RUN SOUTH 36 DEGREES 03 MINUTES 26 SECONDS EAST, A DISTANCE OF 22.95 FEET TO A 1/2 INCH CAPPED REBAR (CA-0393-LS); THENCE RUN SOUTH 63 DEGREES 07 MINUTES 11 SECONDS WEST, A DISTANCE OF 167.13 FEET TO A 1/2 INCH CAPPED REBAR (LS #10675); THENCE RUN NORTH 88 DEGREES 43 MINUTES 18 SECONDS WEST, A DISTANCE OF 174.49 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 7.27 ACRES, MORE OR LESS, AND LIES IN SECTION 21, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.



NO.	DATE	DESCRIPTION
1	4/12/05	REV. PER D.C.

**REGISTERED**

**REGISTERED**

WILLIAM K. SELL  
 P.A. REG. NO. AF 32248  
 DATE: \_\_\_\_\_  
 SEAL: \_\_\_\_\_

AS NOTED ON  
 WALLS OF FLOOR  
 WILLIAM K. SELL  
 P.A. REG. NO. AF 32248

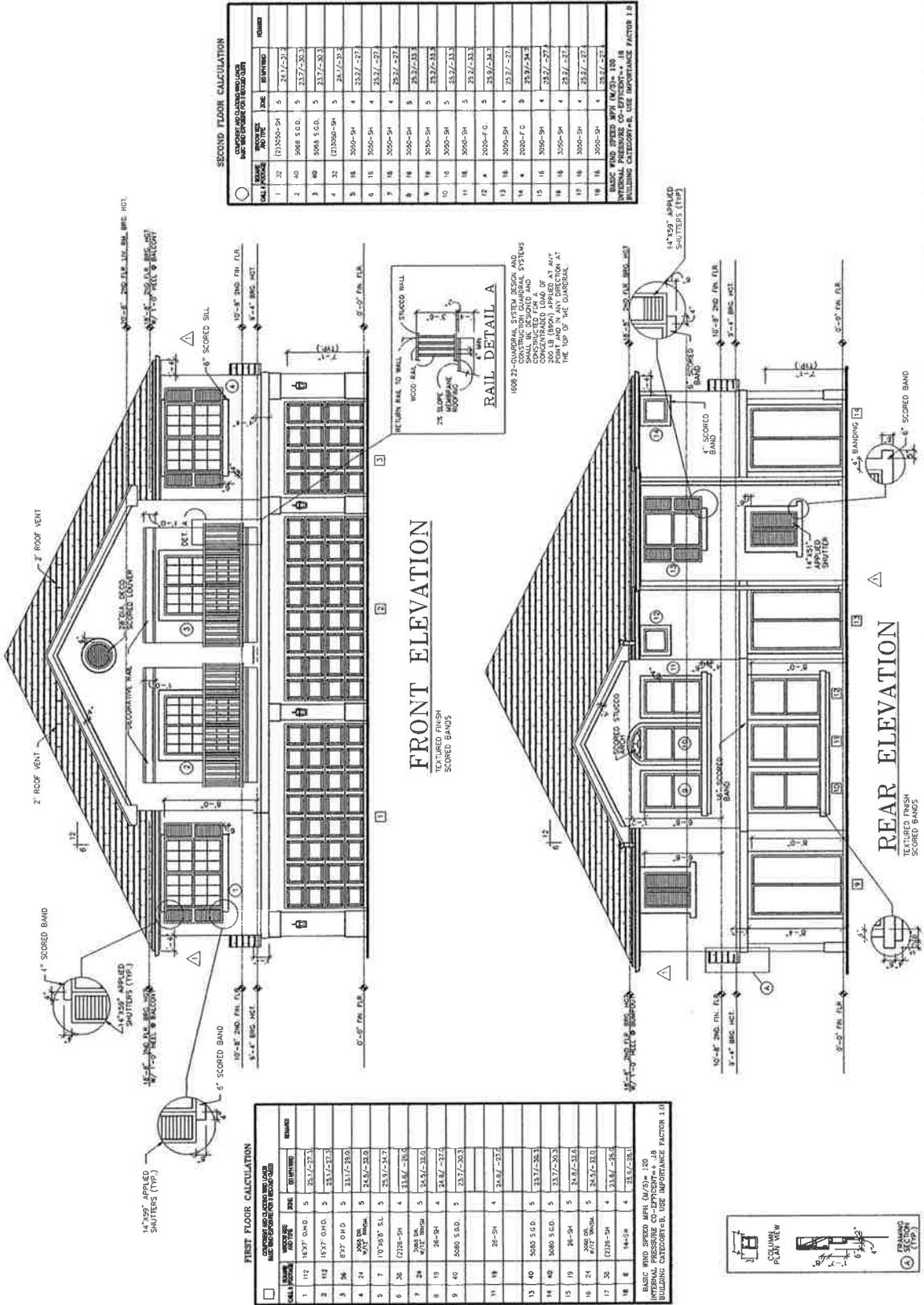
**D-R-HORRAN**  
 America's Builder  
 www.drhorran.com  
 CR0003000

**TAMPA "A"**  
 SADDLE CREEK  
 LITTLE CREEK

PASCO COUNTY  
 FRONT &  
 REAR  
 ELEVATIONS

WILLIAM K. SELL  
 P.A. REG. NO. AF 32248  
 DATE: \_\_\_\_\_  
 SEAL: \_\_\_\_\_

DATE: 4/12/05  
 SCALE: 1/4"=1'-0"  
 SHEET: A5 of 6



**SECOND FLOOR CALCULATION**

CONVERTED WIND SPEED (MPH) TO WIND LOAD (PSF)

CALL NUMBER	WIND SPEED (MPH)	ZONE	EXPOSURE	FORMULA
1	32	(2) 3554-SH	5	23.7/-23.3
2	40	3068 S.C.D.	5	23.7/-23.3
3	40	3068 S.C.D.	5	23.7/-23.3
4	32	(2) 3554-SH	5	23.7/-23.3
5	18	3050-SH	4	23.7/-27
6	18	3050-SH	4	23.7/-27
7	18	3050-SH	4	23.7/-27
8	18	3050-SH	5	23.7/-23.3
9	18	3050-SH	5	23.7/-23.3
10	18	3050-SH	5	23.7/-23.3
11	18	3050-SH	5	23.7/-23.3
12	4	2000-F.C.	5	23.7/-23.3
13	18	3050-SH	4	23.7/-27
14	4	2000-F.C.	5	23.7/-23.3
15	18	3050-SH	4	23.7/-27
16	18	3050-SH	4	23.7/-27
17	18	3050-SH	4	23.7/-27
18	18	3050-SH	4	23.7/-27

BASIC WIND SPEED (MPH) IN ZONE 1 IS 100  
 INTERNAL PRESSURE CO-EFFICIENT = 1.18  
 BUILDING CATEGORY = B. USE IMPORTANCE FACTOR 1.0

**FIRST FLOOR CALCULATION**

CONVERTED WIND SPEED (MPH) TO WIND LOAD (PSF)

CALL NUMBER	WIND SPEED (MPH)	ZONE	EXPOSURE	FORMULA
1	112	1877 O.H.D.	5	23.7/-23.3
2	112	1877 O.H.D.	5	23.7/-23.3
3	36	877 O.H.D.	5	23.7/-23.3
4	24	877 O.H.D.	5	23.7/-23.3
5	7	1078 S.L.	5	23.7/-23.3
6	36	(2) 78-SH	4	23.8/-23.6
7	36	265 W.C.S.	5	23.7/-23.3
8	19	24-SH	4	23.7/-27
9	40	3068 S.C.D.	5	23.7/-23.3
10	18	28-SH	4	23.8/-23.6
11	40	3068 S.C.D.	5	23.7/-23.3
12	40	3068 S.C.D.	5	23.7/-23.3
13	19	24-SH	5	23.8/-23.6
14	19	24-SH	5	23.8/-23.6
15	19	24-SH	5	23.8/-23.6
16	24	877 O.H.D.	5	23.7/-23.3
17	36	(2) 78-SH	4	23.8/-23.6
18	8	14-SH	4	23.7/-23.3

BASIC WIND SPEED (MPH) IN ZONE 1 IS 100  
 INTERNAL PRESSURE CO-EFFICIENT = 1.18  
 BUILDING CATEGORY = B. USE IMPORTANCE FACTOR 1.0

REV.	DATE	DESCRIPTION
1	4/12/05	REV. 01

**ARCHITECT**

**Design Group Inc.**  
ENGINEERS

4514 TAMPA BLVD., SUITE 100  
TAMPA, FL 33610  
TEL: 813.281.1111  
WWW.DESIGNGROUPINC.COM

ARCHITECTURAL LICENSE NO. 100000000  
ENGINEERING LICENSE NO. 100000000

**ARCHITECT**  
D-R-HORTON  
P.L.A. REG. NO. AP 25248

**D-R-HORTON**  
America's Builder

turn@dhorton.com  
CR050000

TAMPA "A"  
SADDLE CREEK  
LITTLE CREEK

PASCO COUNTY  
LEFT & RIGHT  
ELEVATIONS

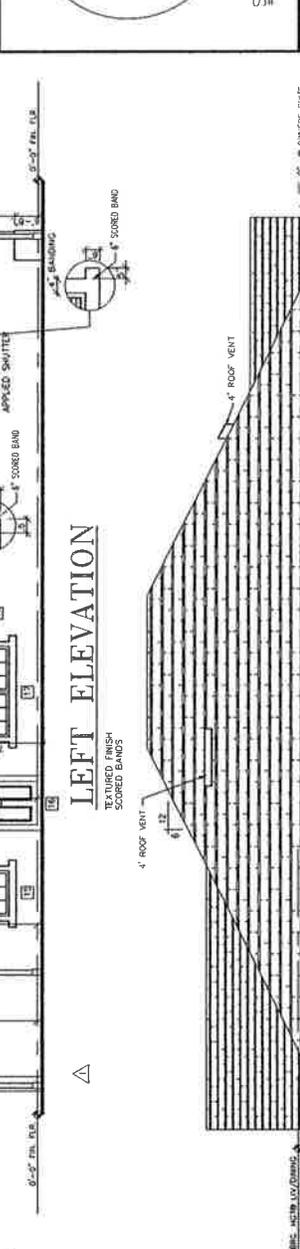
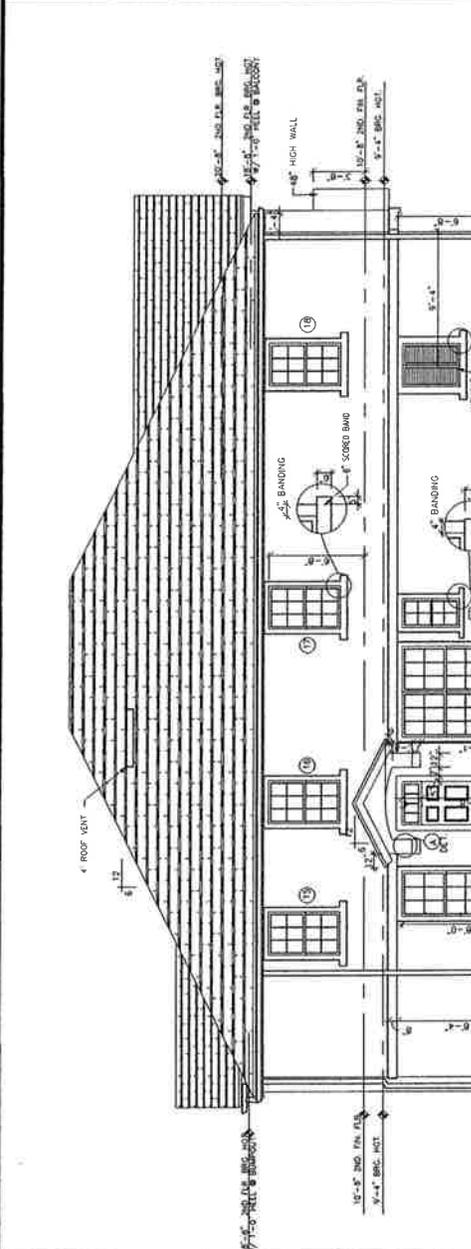
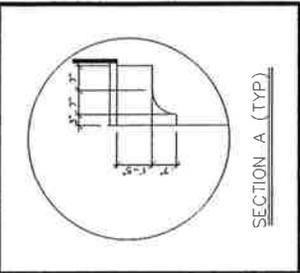
PLUMBER  
P.A. REG. NO. AP 22348  
DATE: \_\_\_\_\_  
SEAL

DATE: 4/12/05  
SCALE: 1/4"=1'-0"  
SHEET:  
A6 of 6

**SECOND FLOOR CALCULATION**

SECTION A (TYP.)

NO.	AREA	UNIT	LOAD	WIND	SEISMIC	MIN.
1	12	12000-54	5	455.7	2.2	
2	36	12000-54	5	1367.1	6.6	
3	36	12000-54	5	1367.1	6.6	
4	32	12000-54	5	1192.6	5.8	
5	14	2000-54	4	280.0	1.4	
6	14	2000-54	4	280.0	1.4	
7	10	2000-54	4	210.0	1.0	
8	18	2000-54	5	420.0	2.1	
9	18	2000-54	5	420.0	2.1	
10	17	2000-54	5	399.0	2.0	
11	16	2000-54	5	360.0	1.8	
12	4	2000-54	5	80.0	0.4	
13	4	2000-54	5	80.0	0.4	
14	4	2000-54	5	80.0	0.4	
15	14	2000-54	4	280.0	1.4	
16	14	2000-54	4	280.0	1.4	
17	14	2000-54	4	280.0	1.4	
18	16	2000-54	4	320.0	1.6	
19	16	2000-54	4	320.0	1.6	
20	16	2000-54	4	320.0	1.6	
21	16	2000-54	4	320.0	1.6	
22	16	2000-54	4	320.0	1.6	
23	16	2000-54	4	320.0	1.6	
24	16	2000-54	4	320.0	1.6	
25	16	2000-54	4	320.0	1.6	
26	16	2000-54	4	320.0	1.6	
27	16	2000-54	4	320.0	1.6	
28	16	2000-54	4	320.0	1.6	
29	16	2000-54	4	320.0	1.6	
30	16	2000-54	4	320.0	1.6	
31	16	2000-54	4	320.0	1.6	
32	16	2000-54	4	320.0	1.6	
33	16	2000-54	4	320.0	1.6	
34	16	2000-54	4	320.0	1.6	
35	16	2000-54	4	320.0	1.6	
36	16	2000-54	4	320.0	1.6	
37	16	2000-54	4	320.0	1.6	
38	16	2000-54	4	320.0	1.6	
39	16	2000-54	4	320.0	1.6	
40	16	2000-54	4	320.0	1.6	
41	16	2000-54	4	320.0	1.6	
42	16	2000-54	4	320.0	1.6	
43	16	2000-54	4	320.0	1.6	
44	16	2000-54	4	320.0	1.6	
45	16	2000-54	4	320.0	1.6	
46	16	2000-54	4	320.0	1.6	
47	16	2000-54	4	320.0	1.6	
48	16	2000-54	4	320.0	1.6	
49	16	2000-54	4	320.0	1.6	
50	16	2000-54	4	320.0	1.6	
51	16	2000-54	4	320.0	1.6	
52	16	2000-54	4	320.0	1.6	
53	16	2000-54	4	320.0	1.6	
54	16	2000-54	4	320.0	1.6	
55	16	2000-54	4	320.0	1.6	
56	16	2000-54	4	320.0	1.6	
57	16	2000-54	4	320.0	1.6	
58	16	2000-54	4	320.0	1.6	
59	16	2000-54	4	320.0	1.6	
60	16	2000-54	4	320.0	1.6	
61	16	2000-54	4	320.0	1.6	
62	16	2000-54	4	320.0	1.6	
63	16	2000-54	4	320.0	1.6	
64	16	2000-54	4	320.0	1.6	
65	16	2000-54	4	320.0	1.6	
66	16	2000-54	4	320.0	1.6	
67	16	2000-54	4	320.0	1.6	
68	16	2000-54	4	320.0	1.6	
69	16	2000-54	4	320.0	1.6	
70	16	2000-54	4	320.0	1.6	
71	16	2000-54	4	320.0	1.6	
72	16	2000-54	4	320.0	1.6	
73	16	2000-54	4	320.0	1.6	
74	16	2000-54	4	320.0	1.6	
75	16	2000-54	4	320.0	1.6	
76	16	2000-54	4	320.0	1.6	
77	16	2000-54	4	320.0	1.6	
78	16	2000-54	4	320.0	1.6	
79	16	2000-54	4	320.0	1.6	
80	16	2000-54	4	320.0	1.6	
81	16	2000-54	4	320.0	1.6	
82	16	2000-54	4	320.0	1.6	
83	16	2000-54	4	320.0	1.6	
84	16	2000-54	4	320.0	1.6	
85	16	2000-54	4	320.0	1.6	
86	16	2000-54	4	320.0	1.6	
87	16	2000-54	4	320.0	1.6	
88	16	2000-54	4	320.0	1.6	
89	16	2000-54	4	320.0	1.6	
90	16	2000-54	4	320.0	1.6	
91	16	2000-54	4	320.0	1.6	
92	16	2000-54	4	320.0	1.6	
93	16	2000-54	4	320.0	1.6	
94	16	2000-54	4	320.0	1.6	
95	16	2000-54	4	320.0	1.6	
96	16	2000-54	4	320.0	1.6	
97	16	2000-54	4	320.0	1.6	
98	16	2000-54	4	320.0	1.6	
99	16	2000-54	4	320.0	1.6	
100	16	2000-54	4	320.0	1.6	



**FIRST FLOOR CALCULATION**

NO.	AREA	UNIT	LOAD	WIND	SEISMIC	MIN.
1	12	12000-54	5	455.7	2.2	
2	36	12000-54	5	1367.1	6.6	
3	36	12000-54	5	1367.1	6.6	
4	32	12000-54	5	1192.6	5.8	
5	14	2000-54	4	280.0	1.4	
6	14	2000-54	4	280.0	1.4	
7	10	2000-54	4	210.0	1.0	
8	18	2000-54	5	420.0	2.1	
9	18	2000-54	5	420.0	2.1	
10	17	2000-54	5	399.0	2.0	
11	16	2000-54	5	360.0	1.8	
12	4	2000-54	5	80.0	0.4	
13	4	2000-54	5	80.0	0.4	
14	4	2000-54	5	80.0	0.4	
15	14	2000-54	4	280.0	1.4	
16	14	2000-54	4	280.0	1.4	
17	14	2000-54	4	280.0	1.4	
18	16	2000-54	4	320.0	1.6	
19	16	2000-54	4	320.0	1.6	
20	16	2000-54	4	320.0	1.6	
21	16	2000-54	4	320.0	1.6	
22	16	2000-54	4	320.0	1.6	
23	16	2000-54	4	320.0	1.6	
24	16	2000-54	4	320.0	1.6	
25	16	2000-54	4	320.0	1.6	
26	16	2000-54	4	320.0	1.6	
27	16	2000-54	4	320.0	1.6	
28	16	2000-54	4	320.0	1.6	
29	16	2000-54	4	320.0	1.6	
30	16	2000-54	4	320.0	1.6	
31	16	2000-54	4	320.0	1.6	
32	16	2000-54	4	320.0	1.6	
33	16	2000-54	4	320.0	1.6	
34	16	2000-54	4	320.0	1.6	
35	16	2000-54	4	320.0	1.6	
36	16	2000-54	4	320.0	1.6	
37	16	2000-54	4	320.0	1.6	
38	16	2000-54	4	320.0	1.6	
39	16	2000-54	4	320.0	1.6	
40	16	2000-54	4	320.0	1.6	
41	16	2000-54	4	320.0	1.6	
42	16	2000-54	4	320.0	1.6	
43	16	2000-54	4	320.0	1.6	
44	16	2000-54	4	320.0	1.6	
45	16	2000-54	4	320.0	1.6	
46	16	2000-54	4	320.0	1.6	
47	16	2000-54	4	320.0	1.6	
48	16	2000-54	4	320.0	1.6	
49	16	2000-54	4	320.0	1.6	
50	16	2000-54	4	320.0	1.6	
51	16	2000-54	4	320.0	1.6	
52	16	2000-54	4	320.0	1.6	
53	16	2000-54	4	320.0	1.6	
54	16	2000-54	4	320.0	1.6	
55	16	2000-54	4	320.0	1.6	
56	16	2000-54	4	320.0	1.6	
57	16	2000-54	4	320.0	1.6	
58	16	2000-54	4	320.0	1.6	
59	16	2000-54	4	320.0	1.6	
60	16	2000-54	4	320.0	1.6	
61	16	2000-54	4	320.0	1.6	
62	16	2000-54	4	320.0	1.6	
63	16	2000-54	4	320.0	1.6	
64	16	2000-54	4	320.0	1.6	
65	16	2000-54	4	320.0	1.6	
66	16	2000-54	4	320.0	1.6	
67	16	2000-54	4	320.0	1.6	
68	16	2000-54	4	320.0	1.6	
69	16	2000-54	4	320.0	1.6	
70	16	2000-54	4	320.0	1.6	
71	16	2000-54	4	320.0	1.6	
72	16	2000-54	4	320.0	1.6	
73	16	2000-54	4	320.0	1.6	
74	16	2000-54	4	320.0	1.6	
75	16	2000-54	4	320.0	1.6	
76	16	2000-54	4	320.0	1.6	
77	16	2000-54	4	320.0	1.6	
78	16	2000-54	4	320.0	1.6	
79	16	2000-54	4	320.0	1.6	
80	16	2000-54	4	320.0	1.6	
81	16	2000-54	4	320.0	1.6	
82	16	2000-54	4	320.0	1.6	
83	16	2000-54	4	320.0	1.6	
84	16	2000-54	4	320.0	1.6	
85	16	2000-54	4	320.0	1.6	
86	16	2000-54	4	320.0	1.6	
87	16	2000-54	4	320.0	1.6	
88	16	2000-54	4	320.0	1.6	
89	16	2000-54	4	320.0	1.6	
90	16	2000-54	4	320.0	1.6	
91	16	2000-54	4	320.0	1.6	
92						



# RIVIERA UTILITIES

700 Whispering Pines Rd Daphne, AL 36526  
Phone (251)626-5000 – Fax (251) 626-5993

May 8, 2015

Steven Pumphrey  
Preble-Rish L.L.C.  
Consulting Engineers & Surveyors  
9949 Bellaton Ave  
Daphne, AL 36526

**Re: Preble-Rish L.L.C. – St. Charles Village Condominiums**

Dear Mr. Pumphrey:

This letter is to confirm that the **Preble-Rish L.L.C. – St. Charles Village Condominiums**, located on the east side of Pollard Road and approximately a quarter of a mile south of County Road 64 in Daphne, Alabama is inside Riviera Utilities' service area, according to the Territorial Act of 1985, and that we will provide electrical service to the site. In order to provide the best possible service when needed, please notify me before you are ready to break ground, so we may schedule a pre-construction meeting. In addition, we would like to request that as soon as your final plans are available, that you provide us with a copy.

If additional information is required, or if you need our assistance, please feel free to call. We look forward to serving your electrical needs in the near future.

Sincerely,

Michael Siladi  
Engineering Department  
Riviera Utilities  
251-626-5000

*Serving South Baldwin County*



# Daphne Utilities

Danny Lyndall.  
General Manager

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## Board of Directors

Robert Segalla, Chairman  
Randy Fry, Vice Chairman  
Fenton Jenkins, Secretary Treasurer  
Billy Mayhand, Board Member  
Dane Haygood Mayor

May 12, 2015

Adrienne Jones  
Director of Community Development  
City of Daphne  
P.O. Box 400  
Daphne, AL 36526

RE: Villas at St. Charles Village

Daphne Utilities has reviewed the plans for the site referenced above and has the following comments/reviewers notes: All items have been addressed and approved.

Notify Daphne Utility Code Enforcement Officer of all utility installations.

Daphne Utilities has the willingness and capacity to provide the following services in support of this development:

(Note: Capacity fees and /or aid-to-construction fees may be applicable)

- . Water
  
- . Gas
  
- . Sewer

Natural Gas, Water, Sewer construction is to be built according to Daphne Utilities standard construction specifications. A copy of our standards is on our website [www.daphneutilities.com](http://www.daphneutilities.com). Please contact me if you have any questions.

Sincerely,

Rex Rentz

Daphne Utility Code Enforcement Officer

**AT&T  
NETWORK OPERATIONS-GULF**

**2001 Main St  
Daphne, AL 36526  
251-626-2913  
Jh0785@att.com**

05-12-2015  
Mr. Steve Pumphrey  
Daphne, AL  
**RE: PUD – Villas at St. Charles Village  
Daphne, Baldwin County, AL**

Dear Mr. Pumphrey:

This is in response to your request for confirmation of service availability by AT&T. The above referenced project/development is located in an area served by AT&T.

Prior to confirming service availability to this project, AT&T requires information such as proposed land use, density, site plans, and agreements with respect to service arrangements for the project. Please contact me at the telephone number or email address shown above to arrange for providing any information that you may not have included in this request for service availability. No preparatory work towards providing service will begin at this time.

General information regarding AT&T's service to commercial buildings can be obtained from AT&T's Building Industry Consulting Service (BICS) and at [www.att.com/bics](http://www.att.com/bics).

Thank you for contacting AT&T.

Sincerely,

Jeff

Jeffery A. Hadley  
Manager-Outside Plant  
Planning and Design  
2001 Main St  
Daphne, AL 36526  
251-626-2913

**ADJACENT PROPERTY OWNERS TO LOTS 1-3 OF BOLAR VIEW SUBDIVISION**

Plid	Owner	Address1	City	St	Zip
05-43-04-20-1-000-072.000	KING, FRANCINE ETAL MOORE, GAYLE; HUNTER	1501 POLLARD RD	DAPHNE	AL	36526
05-43-05-21-0-000-012.000	CLAUSELL, RUTH S ETAL STALLWORTH, CALVIN	25648 POLLARD RD	DAPHNE	AL	36526
05-43-04-20-1-000-073.001	BOLLER, BARBARA JEAN C/O JAMES ROBERTS	9794 TIMBER CIRCLE STE A	DAPHNE	AL	36526
05-43-04-20-1-000-071.000	JOHNSON, JAMES HENRY	381 BEECHWOOD DR	AKRON	OH	44320
05-43-04-20-1-000-073.000	HENINGBURG, PATRICIA ANITA	9180 SHADOW CK LN APT 106	CONVERSE	TX	78109
05-43-05-21-0-000-007.001	ST CHARLES VILLAGE (MASTERCARD)	8757 RAND AVENUE SUITE C	DAPHNE	AL	36526
05-43-05-21-0-000-009.000	WHITE, VERA	25738 POLLARD RD	DAPHNE	AL	36526
05-43-05-21-0-000-011.002	CLAUSELL, RUTH S ETAL STALLWORTH, CALVIN	25648 POLLARD RD	DAPHNE	AL	36526
05-43-05-21-0-000-010.000	CADENCE BANK	2100 3RD AVE NORTH STE 1100	BIRMINGHAM	AL	35203
05-43-05-21-0-000-011.000	CADENCE BANK	2100 3RD AVE NORTH STE 1100	BIRMINGHAM	AL	35203

DANE HAYGOOD  
MAYOR



ADRIENNE D. JONES  
COMMUNITY DEVELOPMENT  
DIRECTOR/ZONING ADMINISTRATOR

CITY COUNCIL  
TOMMIE CONAWAY  
DISTRICT 1  
PAT RUDICELL  
DISTRICT 2  
JOHN L. LAKE  
DISTRICT 3  
RANDY FRY  
DISTRICT 4  
RON SCOTT  
DISTRICT 5  
ROBIN LEJEUNE  
DISTRICT 6  
JOE DAVIS, III  
DISTRICT 7

April 10, 2015

## NOTICE OF PUBLIC HEARING

A petition for PRE-ZONING will be considered by the Daphne Planning Commission for Cadence Bank containing 1.08 acres +/- located one quarter mile south of the intersection of County Road 64 and Pollard Road to be rezoned from RSF-2, Single Family District, Baldwin County District 15, to a PUD, a Planned Unit Development District, upon annexation into the corporate limits of the City of Daphne.

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, April 15, 2015 at 9:30 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, April 23, 2015 at 5:00 p.m. in the Council Chambers of City Hall. You may submit your views in writing, in person, by fax or by representation.

Sincerely,  
Adrienne D. Jones  
Director of Community Development

Cadence Bank Pre-Zoning

**PRE-ZONING FOR CADENCE BANK**  
THE VILLAS OF  
ST. CHARLES VILLAGE



## **COMMUNITY DEVELOPMENT**

### **Pre-zoning Request Pollard Road, south of intersection of County Road 64 (Cadence Bank) 1.08 acres**

**Owner:** Cadence Bank

**Existing Conditions:** 1.08 acres total of undeveloped land

**Number of Lots:** 3 lots (Bolar View Subdivision, Lot 1, Lot 2, Lot 3)

**Existing Zoning:** Unincorporated Baldwin County RSF-2, Single Family Residential

**Proposed Zoning:** Planned Unit Development (PUD)

**Proposed Use:** Tri-plex Multi-Family Dwellings

**Surrounding Zonings/Uses:**

North – R-4, High Density Multi-Family Residential

South - Baldwin County RSF-2, Single Family Residential

West – R-4, High Density Single Family Residential

East – R-4, High Density Single Family Residential

**Existing Utility Service Providers:**

Water - Daphne Utilities

Sewer - Daphne Utilities

Gas - Daphne Utilities

Electric - Riviera Utilities

**Affected City Service Providers:**

Fire Protection— Station 2

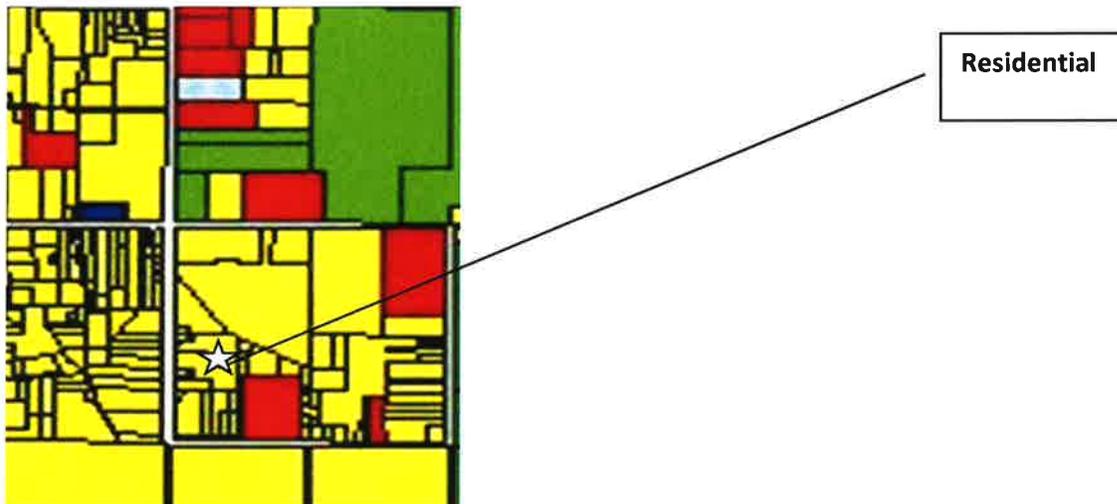
Police Protection—Police Beat 1

Public Works

Baldwin County Schools—n/a

**FROM THE 2000-2020 COMPREHENSIVE PLAN (adopted on June 26, 2003):  
Comprehensive Plan**

The Comprehensive Plan encourages expansion and annexation of land contiguous to the existing corporate limits. The Plan designates this area as a residential use. Therefore, the requested pre-zoning is consistent with the Future Land Use Designation.



***Staff recommends approval of the request to annex this land.*** Staff also recommends approval of the pre-zoning petition submitted by the applicant.

**Related applications on agenda:** 6.19 acres Zoning Request and 1.03 acre Annexation Request by Cadence Bank.

**CITY OF DAPHNE, ALABAMA  
ORDINANCE 2015-**

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

**Property Located One Quarter Mile South of the Intersection of County Road 64 and  
Pollard Road  
Cadence Bank**

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**WHEREAS**, on the 26<sup>th</sup> day of March, 2015, being the owner of all real property hereinafter described, did file with the City Clerk a petition asking that the said tracts or parcels of land be annexed into and become part of the City of Daphne, Alabama; and

**WHEREAS**, said petition did contain the signatures of all owners of the described territory and a map of said property showing its relationship to the corporate limits of the City of Daphne, Alabama; and

**WHEREAS**, after proper publication, a public hearing was held by the City Council on July 6, 2015 concerning the petition for annexation; and

**WHEREAS**, said petition has been presented to the Planning Commission of the City of Daphne at a regular scheduled meeting on April 23, 2015, and the Commission set forth a unanimous favorable recommendation for the City Council of the City of Daphne to consider said request for annexation and said property; and

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

**SECTION ONE: ANNEXATION**

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

**SECTION TWO: DESCRIPTION OF TERRITORY**

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

**Legal Description for Annexation:**

LOTS 1-3 OF BOLAR VIEW SUBDIVISION AS RECORDED ON SLIDE  
1532A IN THE PROBATE RECORDS OF BALDWIN COUNTY,  
ALABAMA.

**SECTION THREE: MAP OF PROPERTY**

The property hereby annexed into the City of Daphne, Alabama is set forth and described in Exhibit "A" and attached hereto a map of the property (*Exhibit "B"*) showing its relationship to the corporate limits of the municipality of the City of Daphne and made a part of this ordinance.

**SECTION FOUR: PUBLICATION**

This Ordinance shall be published as required by Section 11-42-21 Code of Alabama 1975, as amended, and the property described herein shall be annexed into the corporate limits of the City of Daphne, and a certified copy of the same shall be filed with the Office of the Judge of Probate of Baldwin County, Alabama as required by Section 11-42-21, Code of Alabama 1975, as amended.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE,  
ALABAMA, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.**

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**Dane Haygood,  
Mayor**

**ATTEST:**

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**Rebecca A. Hayes,  
City Clerk**

PLEASE Publish in the Bulletin Legal Section on Wednesday,  
June 3, 2015

FIRST NOTICE OF PUBLIC HEARING

Notice is hereby given the first time that the City Council of the City of Daphne will hold a Public Hearing on July 06, 2015 at 6:30 pm in the Council Chambers at City Hall, 1705 Main Street, Daphne, Alabama. The public is welcome to attend and offer comments opposing or favoring a proposed Ordinance pre-zoning certain property from RSF-2, Single Family District, Baldwin County District 15, to PUD, Planned Unit Development District, City of Daphne as presented below. Any person with an American's with Disabilities Act disability must contact the City Clerk's office ten days prior to the Public Hearing, in order for accommodations to be made.

Rebecca A. Hayes, City Clerk, MMC

**PROPOSED ORDINANCE:**

**CITY OF DAPHNE, ALABAMA  
ORDINANCE NO. 2015-**

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**Ordinance to Pre-Zone Property Located  
One Quarter mile south of the intersection of County Road 64 and Pollard Road  
Cadence Bank**

**WHEREAS,** Cadence Bank as the owner of certain real property located within the unincorporated area of Baldwin County, Alabama, has requested that said property be pre-zoned from RSF-2, Single Family Residential District, Baldwin County District 15 to PUD, Planned Unit Development District, City of Daphne; and

**WHEREAS,** said real property is one quarter mile south of the intersection of County Road 64 and Pollard Road, and more particularly described as follows:

**Legal Description for Pre-zone:**

LOTS 1-3 OF BOLAR VIEW SUBDIVISION AS RECORDED ON SLIDE  
1532A IN THE PROBATE RECORDS OF BALDWIN COUNTY, ALABAMA.

**WHEREAS,** at the regular Planning Commission meeting on April 23, 2015, the Commission considered said request and set forth a unanimous favorable recommendation; and,

PLEASE Publish in the Bulletin Legal Section on Wednesday,  
June 10, 2015

SECOND NOTICE OF PUBLIC HEARING

Notice is hereby given the second time, the first notice was given June 3, 2015, that the City Council of the City of Daphne will hold a Public Hearing on July 06, 2015 at 6:30 pm in the Council Chambers at City Hall, 1705 Main Street, Daphne, Alabama. The public is welcome to attend and offer comments opposing or favoring a proposed Ordinance pre-zoning certain property from RSF-2, Single Family District, Baldwin County District 15, to PUD, Planned Unit Development District, City of Daphne, as presented below. Any person with an American's with Disabilities Act disability must contact the City Clerk's office ten days prior to the Public Hearing, in order for accommodations to be made.

Rebecca A. Hayes, City Clerk

**PROPOSED ORDINANCE:**

**CITY OF DAPHNE, ALABAMA  
ORDINANCE NO. 2015-**

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**Ordinance to Pre-Zone Property Located  
One Quarter mile south of the intersection of County Road 64 and Pollard Road  
Cadence Bank**

**WHEREAS,** Cadence Bank as the owner of certain real property located within the unincorporated area of Baldwin County, Alabama, has requested that said property be pre-zoned from RSF-2, Single Family Residential District, Baldwin County District 15 to PUD, Planned Unit Development District, City of Daphne; and

**WHEREAS,** said real property is one quarter mile south of the intersection of County Road 64 and Pollard Road, and more particularly described as follows:

**Legal Description for Pre-zone:**

LOTS 1-3 OF BOLAR VIEW SUBDIVISION AS RECORDED ON SLIDE  
1532A IN THE PROBATE RECORDS OF BALDWIN COUNTY, ALABAMA.

**WHEREAS,** at the regular Planning Commission meeting on April 23, 2015, the Commission considered said request and set forth a unanimous favorable recommendation; and,

To: Office of the City Clerk  
From: Adrienne D. Jones, <sup>5.18.15</sup>  
Director of Community Development  
Subject: Cadence Bank  
Petition for Annexation

# MEMORANDUM

Reference: Lots 1, 2 & 3, Bolar View  
Subdivision

Date: April 24, 2015

**PRESENT ZONING:** RSF-2, Single Family District, Baldwin  
County District 15

**PROPOSED ZONING:** PUD, Planned Unit Development District,  
City of Daphne

**LOCATION:** One quarter mile south of the  
intersection of County Road 64 and  
Pollard Road

**RECOMMENDATION:** At the Thursday, April 23, 2015, regular  
meeting of the Daphne Planning Commission,  
six members were present. The motion carried  
for an **unanimous favorable recommendation** to  
the City Council of the annexation of the  
subject property for Cadence Bank as a PUD,  
Planned Unit Development District.

Attached please find documentation from the Office of  
Community Development. Ordinances shall be provided by  
the Office of the City Attorney.

Thank you,  
ADJ/jv

cc: file

attachment(s)

1. Petition for Annexation
2. Legal Description
3. Boundary Survey
4. Community Development Report

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

( Cadence Bank )

The undersigned corporation, CADENCE BANK, files this petition with the Clerk of the City of Daphne requesting the property hereafter described, commonly referred to as, BOLAR VIEW SUBDIVISION, to be annexed into the City of Daphne, a municipal corporation incorporated under the laws of the State of Alabama, and submits the following in support of the petition:

1. **Description of Property:** The description of the property which the petitioner requests to be annexed into the City of Daphne is described in **Exhibit "A"** attached hereto and made a part of this petition as fully set out herein (**the "Property"**).

2. **Map of Property:** Attached hereto as **Exhibit "B"** and made a part of this petition, is a map of the property showing its relationship to the corporate limits of the municipality of the City of Daphne.

3. **Owner:** The petitioner, CADENCE BANK, is the owner of the property hereby sought to be annexed into the corporate limits of the City of Daphne.

4. **Specific Conditions:** This petition is conditioned upon the adoption of an ordinance, which shall include specifically the conditions requested below upon annexing the said property into the corporate limits of the City of Daphne.

*Requested zoning, if other than R-1:* PUD

*Any other conditions which may apply upon annexation:*

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

DATED this 26<sup>th</sup> day of March, 2015

Respectfully submitted,

Cadence Bank  
Name of Corporation

By: Cindy Bush

Its: VP Special Assets

STATE OF ALABAMA  
COUNTY OF BALDWIN

I, Janice P. Mosley, the undersigned Notary Public in and for said county and state, hereby certify that Cindy Bush whose name as VP Special Assets of Cadence Bank, an Alabama corporation, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day, that, being informed of the contents of the instrument, he/she as such officer and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 26<sup>th</sup> day of March, 2015.

Janice P Mosley  
NOTARY PUBLIC

My commission expires: 3-7-8

Corporation's Address

2100 3RD Avenue N  
Suite 1100  
Birmingham AL 35203

**ADDITIONAL INFORMATION**

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

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

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

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

SELECT ONE OF THE FOLLOWING OPTIONS

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

Or

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

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

IN WITNESS WHEREOF, we have hereunto subscribed our names this, the 26 day of MARCH, 2015.

Legal Description Attached (Exhibit A)?  Map or Survey Attached (Exhibit B)?   
Recorded Subdivision Plat OR Preliminary/Final Subdivision plat approved by Planning Commission Attached (Exhibit C)?  Acreage 1.08 Ac.  
Subdivision Name BOLAR VIEW SUBDIVISION Lot Number(s) 1-3

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

Signature: Cindy Bush Signature: \_\_\_\_\_  
Printed Name: Cindy Bush Printed Name: \_\_\_\_\_  
Mailing Address: 2100 3RD AVE N Mailing Address: \_\_\_\_\_  
Suite 1100  
Birmingham 35203

## **EXHIBIT A**

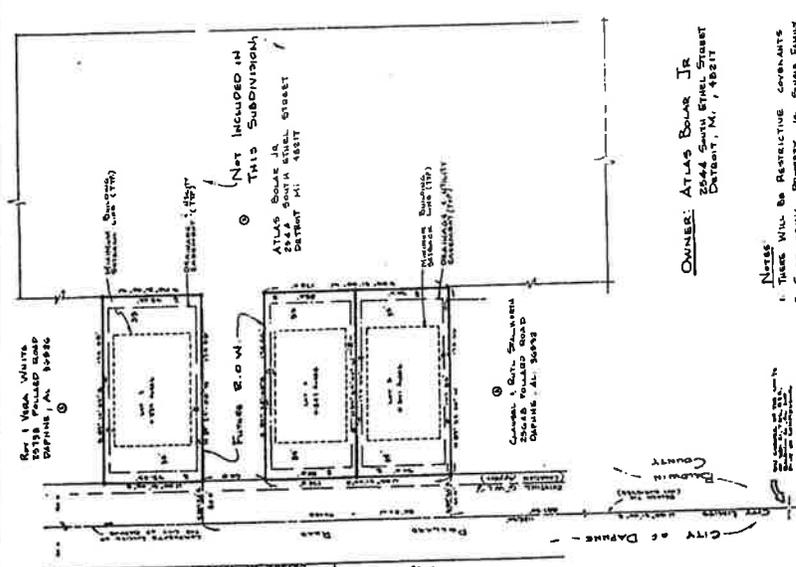
### **Legal Description for Annexation:**

**LOTS 1-3 OF BOLAR VIEW SUBDIVISION AS RECORDED ON SLIDE 1532A IN THE  
PROBATE RECORDS OF BALDWIN COUNTY, ALABAMA.**

EXHIBIT "B"  
ANNEXATION

1532 A

01:32 A



- Notes**
1. There will be restrictive covenants.
  2. Surrendering Property is Green Family.
  3. County Taxes is May Any Census Reannexation.
  4. Lots will be used for Single Family Residential.
- Other Notes:**
1. All lots are to be used for single family residential.
  2. No other use is permitted.
  3. No other use is permitted.
  4. No other use is permitted.
  5. No other use is permitted.
  6. No other use is permitted.
  7. No other use is permitted.

STATE OF ALABAMA  
COUNTY OF BALDWIN

I, **James A. Williams**, a Registered Land Surveyor, do hereby certify that the above and contained plat of **Atlas Boulevard** and **South Steel Street** in **Section 21, Township 5 South, Range 2 East**, **1116 Area**, **1532 A**, is a true and correct plat of said streets and lots, and that the same have been lawfully surveyed and located in accordance with the provisions of the laws of this State.

Witness my hand and seal of office this **15th** day of **December**, 19**64**.

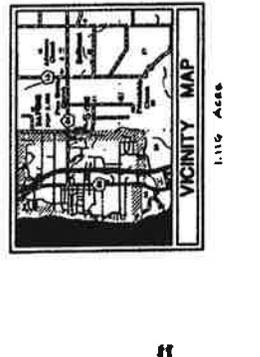
*James A. Williams*  
Registered Land Surveyor

**CERTIFICATE OF APPROVAL BY THE COUNTY ENGINEER**

The subdivision shown on the above plat has been approved by the County Engineer, Baldwin County, Alabama, under the provisions of the laws of this State, and the same is hereby approved for recording in the public records of this County.

Dated this **15th** day of **December**, 19**64**.

*W. S. [Signature]*  
County Engineer



**CERTIFICATE OF APPROVAL BY THE CITY ENGINEER**

The subdivision shown on the above plat has been approved by the City Engineer, Baldwin County, Alabama, under the provisions of the laws of this State, and the same is hereby approved for recording in the public records of this County.

Dated this **15th** day of **December**, 19**64**.

*[Signature]*  
City Engineer

**CERTIFICATE OF APPROVAL BY THE BALDWIN COUNTY HEALTH DEPARTMENT**

The subdivision shown on the above plat has been approved by the Baldwin County Health Department under the provisions of the laws of this State, and the same is hereby approved for recording in the public records of this County.

Dated this **15th** day of **December**, 19**64**.

*[Signature]*  
Baldwin County Health Department

**CERTIFICATE OF APPROVAL BY THE BALDWIN COUNTY PLANNING COMMISSION**

The subdivision shown on the above plat has been approved by the Baldwin County Planning Commission under the provisions of the laws of this State, and the same is hereby approved for recording in the public records of this County.

Dated this **15th** day of **December**, 19**64**.

*[Signature]*  
Baldwin County Planning Commission

**CERTIFICATE OF APPROVAL BY THE BALDWIN COUNTY BOARD OF ZONING**

The subdivision shown on the above plat has been approved by the Baldwin County Board of Zoning under the provisions of the laws of this State, and the same is hereby approved for recording in the public records of this County.

Dated this **15th** day of **December**, 19**64**.

*[Signature]*  
Baldwin County Board of Zoning

**CERTIFICATE OF APPROVAL BY THE BALDWIN COUNTY BOARD OF SUPERVISORS**

The subdivision shown on the above plat has been approved by the Baldwin County Board of Supervisors under the provisions of the laws of this State, and the same is hereby approved for recording in the public records of this County.

Dated this **15th** day of **December**, 19**64**.

*[Signature]*  
Baldwin County Board of Supervisors

consulting engineers  
and  
land surveyors

**McCRORY & WILLIAMS**



**BOLAR VIEW SUBDIVISION**

SECTION 21, TOWNSHIP 5 SOUTH, RANGE 2 EAST

Date: 12-15-64

## **VILLAS AT ST. CHARLES VILLAGE PUD STANDARDS**

The total site for this PUD is 7.27 acres. Survey and legal description attached.

There are 23 proposed buildings within this PUD. Each building consists of 3 units, which is a total of 69 units, for an overall density of 9.49 units per acre. Each building has a footprint of approximately 50'x65'. In the front and on the first floor of each building, are located 3 garages (2 – 2 car garages and 1 – 1 car garage) for a total of 5 enclosed parking spaces. There are an additional 5 outdoor parking spaces. There is a 1 story unit located above the garages that consists of approximately 1,200 sq. ft. Then there are 2 – 2 story units, one consisting of approximately 1,480 sq. ft. and the other at approximately 1,635 sq. ft.

The maximum building height will not exceed those specified in the residential zoning districts of the Daphne Land Use and Development Ordinance, which is 2.5 stories or 35 ft. and building height as defined in the said Ordinance.

The proposed spacing between buildings will not be less than 20'. The minimum building setback proposed for this PUD is 25' from all exterior property lines. This is a proposed deviation from the 40' setback requirement for PUD developments. This development is not a highrise development and has the look of 2 story homes. In a residential development zoned R-4 or in the Innovative Design category of the Land Use Ordinance, the required setback is 25' from the front and rear property lines. We believe the nature of this development is such that excessive setbacks are not necessary.

### **Coverages and Open Space:**

The total building coverage is 74,750 sq. ft. (23 bldgs. @ 50'x65') or 23.60% of the total site.

Total roadways, sidewalks, and driveways coverage is 84,062 sq. ft. or 26.54% of the total site.

Drainage pond coverages are 13,435 sq. ft. or 4.24% of the total site.

The total coverage is 3.95 acres or 54.33% of the total site.

The remaining area is 3.32 acres or 45.67% of open space. This will be grassed/landscaped areas that is common property and maintained by the P.O.A.

There is an existing 0.5 acre site adjacent to this development that has a pool and clubhouse facility that was planned for the use of the existing condominium owners and for this development.

Roadways and utilities will be designed in accordance with the standards of the City of Daphne. The roadway is proposed to be private and maintained by the P.O.A. The proposed entrance to Pollard Road will be gated. An interior roadway connection will be made from the proposed roadway of this development with the existing roadway in the St. Charles Village Condominium development. The roadway system nor the gate will be maintained by the City of Daphne.

The stormwater management system will be designed in accordance with the standards of the City of Daphne. All stormwater facilities and structures will be maintained by the P.O.A. and not the City of Daphne.

A decorative fence will be installed along Pollard Road to match, as close as possible, with the existing fence in St. Charles Village Condominium. Due to all areas outside of the buildings being common area, a landscape plan will be prepared for the overall site to insure landscaping is designed around all buildings and entryway.

Following PUD approval, a Preliminary Plat application will be submitted for the entire site. Once approved, all of the infrastructure will be constructed. A Final Plat will be submitted for approval and recording. At that time the builder will obtain building permits and start construction on the buildings and the best estimate at this time is for 4 phases with 4-6 buildings constructed per phase.

Relative to the goals of the Comprehensive Plan:

Population and Economy-

This PUD will offer a desirable residential community with gated entrance, pool and clubhouse facility. The development meets the goal of diversification due to the building types not like any other in the City of Daphne.

Housing-

This development provides an alternative in housing type.

Open Space and Recreation-

This development has a pool and clubhouse facility for the use of the residents. All areas outside of the buildings are common areas with the majority of the site being lawns and landscaping .

Urban Design-

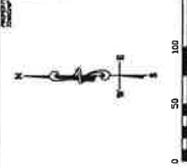
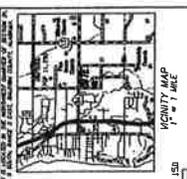
This development will provide for an aesthetically pleasing design for the area. The units will be designed to have a look similar to the existing condominium units. Decorative fencing and landscaping will be incorporated along Pollard Road.

This PUD will benefit the city in that it offers a form of building type like no other in the city. It offers an alternative to the housing market that will attract residents to the area. Being proposed as a gated community, it offers an element of security that many desire in today's market.

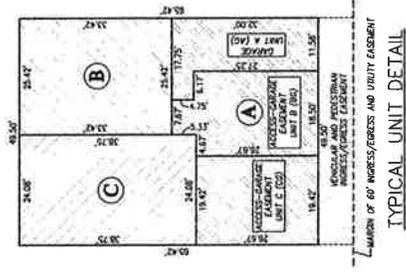
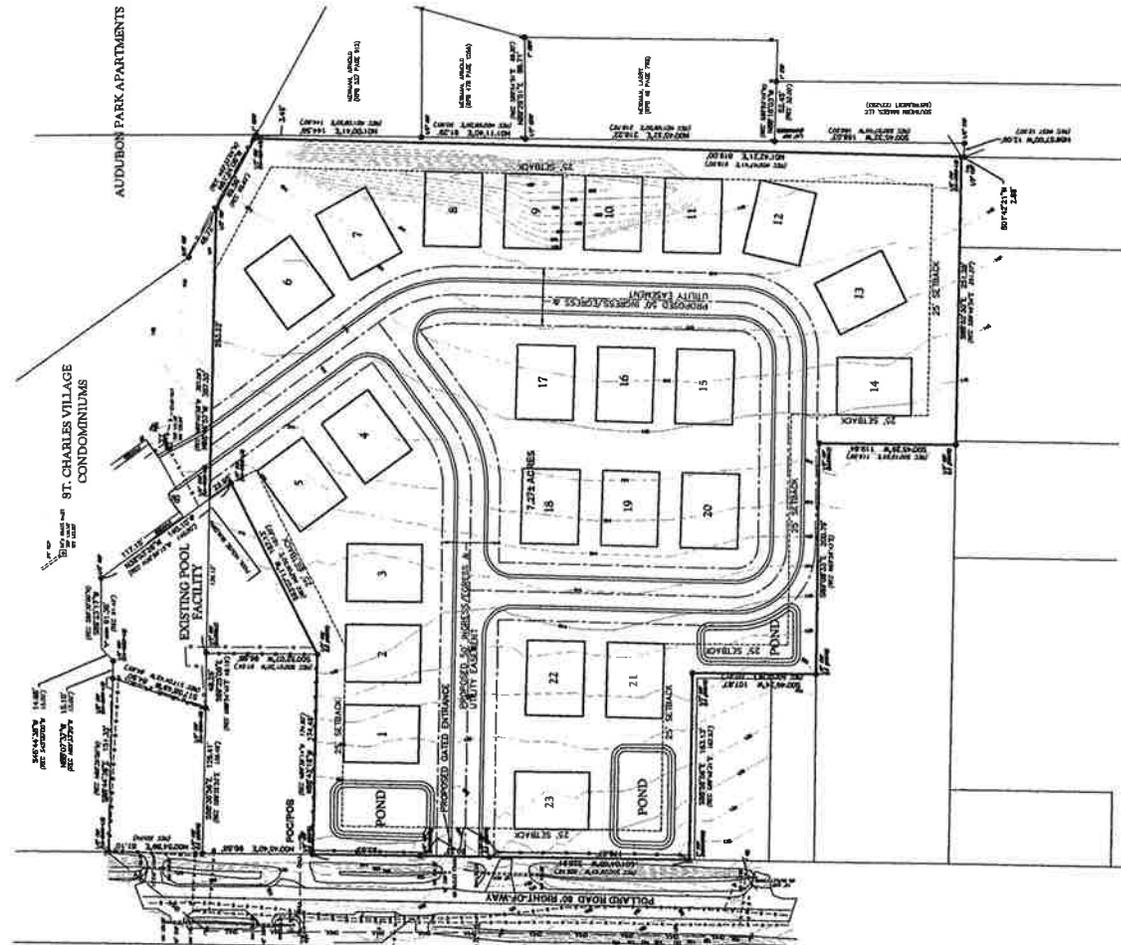
Most of the adjacent properties to the east and south are unincorporated and part of an older community. This site has been in the corporate limits of the City of Daphne for some time and zoned for multi-family residential development. The proposed development actually has less units than what the original zoning would have allowed. Even though these buildings have 3 units each, due to separate buildings, it has the look and feel of 2 story homes. To the north is an existing condominium that this project is extension of and will connect to and share in the P.O.A. responsibilities.

## **LEGAL DESCRIPTION FOR VILLAS AT ST. CHARLES VILLAGE PUD**

BEGINNING AT A 1/2 INCH CAPPED REBAR (LS #10675) AT THE NORTHWEST CORNER OF LOT 1 OF BOLAR VIEW SUBDIVISION, AS SHOWN BY MAP OR PLAT THEREOF, RECORDED AT SLIDE 1532-A, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA AND RUN THENCE SOUTH 01 DEGREES 04 MINUTES 08 SECONDS WEST, ALONG THE EAST RIGHT-OF-WAY OF POLLARD ROAD, A DISTANCE OF 328.91 FEET TO A 2 INCH CRIMP TOP IRON PIPE; THENCE RUN SOUTH 88 DEGREES 58 MINUTES 56 SECONDS EAST, A DISTANCE OF 163.13 FEET TO A 1/2 INCH CAPPED REBAR (LS #10675); THENCE RUN SOUTH 00 DEGREES 49 MINUTES 24 SECONDS WEST, A DISTANCE OF 107.87 FEET TO A 1/2 INCH CAPPED REBAR (LS #10675); THENCE RUN SOUTH 89 DEGREES 08 MINUTES 33 SECONDS EAST, A DISTANCE OF 200.79 FEET TO A 1/2 INCH CAPPED REBAR; THENCE RUN SOUTH 00 DEGREES 45 MINUTES 29 SECONDS WEST, A DISTANCE OF 119.64 FEET TO A 1/2 INCH CAPPED REBAR (LS #10675); THENCE RUN SOUTH 88 DEGREES 52 MINUTES 30 SECONDS EAST, A DISTANCE OF 251.28 FEET TO A 1/2 INCH CAPPED REBAR (CA-0756-LS); THENCE RUN NORTH 01 DEGREES 42 MINUTES 21 SECONDS EAST, A DISTANCE OF 619.00 FEET TO A 5/8 INCH CAPPED REBAR (CA-007-LS); THENCE RUN NORTH 61 DEGREES 24 MINUTES 06 SECONDS WEST, A DISTANCE OF 69.56 FEET TO A 1/2 INCH REBAR; THENCE RUN NORTH 88 DEGREES 46 MINUTES 57 SECONDS WEST, A DISTANCE OF 253.23 FEET TO 1/2 INCH CAPPED REBAR (CA-0951-LS); THENCE RUN SOUTH 36 DEGREES 03 MINUTES 26 SECONDS EAST, A DISTANCE OF 22.95 FEET TO A 1/2 INCH CAPPED REBAR (CA-0393-LS); THENCE RUN SOUTH 63 DEGREES 07 MINUTES 11 SECONDS WEST, A DISTANCE OF 167.13 FEET TO A 1/2 INCH CAPPED REBAR (LS #10675); THENCE RUN NORTH 88 DEGREES 43 MINUTES 18 SECONDS WEST, A DISTANCE OF 174.49 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 7.27 ACRES, MORE OR LESS, AND LIES IN SECTION 21, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.



- SITE DESIGN STANDARDS:**
1. THE MINIMUM BUILDING SETBACK FROM ALL EXTERIOR PROPERTY LINES IS 20'.
  2. THE MINIMUM SPACING BETWEEN BUILDINGS IS 20'.
  3. THE MINIMUM SPACING BETWEEN BUILDINGS IS 20', THE R-1 TO R-3 ZONING REQUIREMENT OF 2.5 STORIES OR 30 FT. AND BUILDING HEIGHT AS DEFINED BY THE ZONING CODE SHALL APPLY.
  4. THERE ARE 9 GARAGE PARKING SPACES PROPOSED IN EACH BUILDING.
  5. THERE ARE 3 UNITS PER BUILDING UNIT AS A ONE STORY UNIT LOCATED ON THE 1ST FLOOR AND 2 UNITS PER BUILDING UNIT AS A TWO STORY UNIT WITH A TOTAL OF 1835 SQ. FT. AND 200 SQ. FT. OF TERRACE AREA.
  6. THE MINIMUM BUILDING COVERAGE SHALL BE 74.76% W/FT. OR 23.60% OF THE TOTAL AREA.
  7. OPEN SPACE - TOTAL SITE OF 7.27 ACRES LESS THE FOLLOWING:  
 7.1. ROADS, SIDEWALKS, AND DRIVEWAYS - 84,082 SQ. FT.  
 7.2. EXISTING AND PROPOSED POND - 11,345 SQ. FT.  
 7.3. EXISTING AND PROPOSED UTILITY FACILITY - 10,000 SQ. FT.  
 7.4. EXISTING AND PROPOSED DRIVEWAY - 10,000 SQ. FT.  
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 7.79. EXISTING AND PROPOSED DRIVEWAY - 10,000 SQ. FT.  
 7.80. EXISTING AND PROPOSED DRIVEWAY - 10,000 SQ. FT.  
 7.81. EXISTING AND PROPOSED DRIVEWAY - 10,000 SQ. FT.  
 7.82. EXISTING AND PROPOSED DRIVEWAY - 10,000 SQ. FT.  
 7.83. EXISTING AND PROPOSED DRIVEWAY - 10,000 SQ. FT.  
 7.84. EXISTING AND PROPOSED DRIVEWAY - 10,000 SQ. FT.  
 7.85. EXISTING AND PROPOSED DRIVEWAY - 10,000 SQ. FT.  
 7.86. EXISTING AND PROPOSED DRIVEWAY - 10,000 SQ. FT.  
 7.87. EXISTING AND PROPOSED DRIVEWAY - 10,000 SQ. FT.  
 7.88. EXISTING AND PROPOSED DRIVEWAY - 10,000 SQ. FT.  
 7.89. EXISTING AND PROPOSED DRIVEWAY - 10,000 SQ. FT.  
 7.90. EXISTING AND PROPOSED DRIVEWAY - 10,000 SQ. FT.  
 7.91. EXISTING AND PROPOSED DRIVEWAY - 10,000 SQ. FT.  
 7.92. EXISTING AND PROPOSED DRIVEWAY - 10,000 SQ. FT.  
 7.93. EXISTING AND PROPOSED DRIVEWAY - 10,000 SQ. FT.  
 7.94. EXISTING AND PROPOSED DRIVEWAY - 10,000 SQ. FT.  
 7.95. EXISTING AND PROPOSED DRIVEWAY - 10,000 SQ. FT.  
 7.96. EXISTING AND PROPOSED DRIVEWAY - 10,000 SQ. FT.  
 7.97. EXISTING AND PROPOSED DRIVEWAY - 10,000 SQ. FT.  
 7.98. EXISTING AND PROPOSED DRIVEWAY - 10,000 SQ. FT.  
 7.99. EXISTING AND PROPOSED DRIVEWAY - 10,000 SQ. FT.  
 8.00. EXISTING AND PROPOSED DRIVEWAY - 10,000 SQ. FT.



- NOTES:**
1. ACCESS-EASEMENT EASEMENTS (A) AND (C) ARE INDICATED AND RESTRICTIONS AS STATED IN THE DECLARATION OF COVENANTS AND RESTRICTIONS ACCESS-EASEMENT (A) AND (C) SHALL APPLY TO EACH CLUSTER BUILDING AND SHALL BE MAINTAINED BY THE CITY OF CHARLOTTE.
  2. THE 40' INGRESS/EGRESS AND UTILITY EASEMENT SHOWN HEREON IS LOCATED 20' OFF EACH SIDE OF THE CENTERLINE OF THE DRIVEWAY.
  3. ALL AREAS LOCATED OUTSIDE OF THE BUILDINGS ARE DRIVEWAY AREAS AND WILL NOT BE MAINTAINED BY THE CITY OF CHARLOTTE.
  4. THERE IS A VEHICULAR AND PEDESTRIAN INGRESS/EGRESS FROM EACH BUILDING TO THE DRIVEWAY AND UTILITY EASEMENT AND EACH BUILDING.
  5. THERE IS A PEDESTRIAN ACCESS EASEMENT ALONG ALL SIDEWAYS WITHIN THE DEVELOPMENT.



**EXHIBIT B**  
**VILLAS AT ST. CHARLES VILLAGE**  
 APRIL 2015 - SHEET 1 OF 1 SHEETS

CONCEPTUAL SITE PLAN					
DESIGN	D.E.D.	DESIGN	D.E.D.	PROJ. MGR.	D.E.D.
JUNE	JANUARY	JANUARY	JANUARY	JANUARY	JANUARY
PREBLE RISH LLC CONSULTING ENGINEERS & SURVEYORS 1100 SOUTH PARKWAY CHARLOTTE, NC 28203 TEL: 704.376.1100 FAX: 704.376.1101 WWW.PREBLERISH.COM					
				SCALE	1"=50'
				PROJ. NO.	280-0075
				FILE	280007SP1AT
				SHEET	1 OF 1

REV.	DATE	DESCRIPTION
1	11/15/05	REV. PER DIT

**ARCHITECTS**  
**Design Group Inc.**  
**ENGINEERS**  
 6315 N.W. 11th Street  
 Fort Lauderdale, FL 33309  
 PHONE: (954) 571-1111  
 FAX: (954) 571-1111  
 WWW.DGDESIGN.COM

**ARCHITECT**  
 WILLIAM H. SELL  
 P.L.A. REG. NO. AR 785048

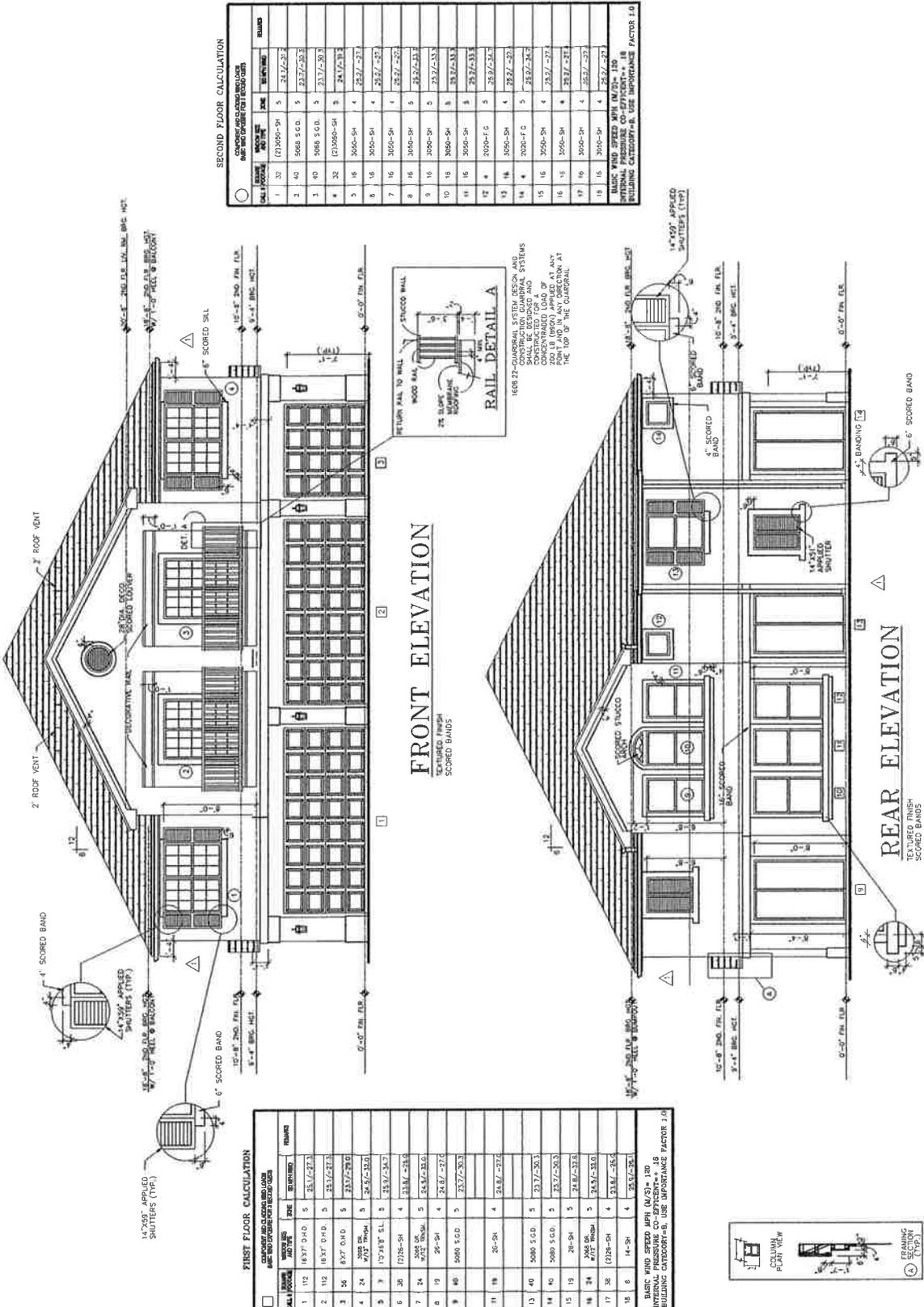
**D-R-HORTON**  
*America's Builder*  
 www.drhorton.com  
 CR050030

**TAMPA "A"**  
**SADDLE CREEK**  
**LITTLE CREEK**

**PASCO COUNTY**  
**FRONT & REAR ELEVATIONS**

WILLIAM H. SELL  
 P.L.A. REG. NO. AR 782448  
 DATE: \_\_\_\_\_  
 SEAL: \_\_\_\_\_

DATE: 4/12/05  
 SCALE: 3/4" = 1'-0"  
 SHEET: \_\_\_\_\_  
 A5 of 6



**SECOND FLOOR CALCULATION**

CALL NUMBER	COMPOSITE AREA (SQ. FT.)	WIND SPEED (MPH)	WIND DIRECTION	WIND EXPOSURE	WIND EFFECTIVE AREA (SQ. FT.)	WIND PRESSURE CO-EFFICIENT (C <sub>e</sub> )	WIND FORCE (LBS)	REMARKS
1	32	120	SH	5	21.7	-0.7	21.7	
2	140	120	SH	5	21.7	-0.7	21.7	
3	40	120	SH	5	21.7	-0.7	21.7	
4	32	120	SH	5	21.7	-0.7	21.7	
5	16	120	SH	4	21.7	-0.7	21.7	
6	16	120	SH	4	21.7	-0.7	21.7	
7	16	120	SH	4	21.7	-0.7	21.7	
8	16	120	SH	4	21.7	-0.7	21.7	
9	16	120	SH	4	21.7	-0.7	21.7	
10	16	120	SH	4	21.7	-0.7	21.7	
11	16	120	SH	4	21.7	-0.7	21.7	
12	16	120	SH	4	21.7	-0.7	21.7	
13	16	120	SH	4	21.7	-0.7	21.7	
14	16	120	SH	4	21.7	-0.7	21.7	
15	16	120	SH	4	21.7	-0.7	21.7	
16	16	120	SH	4	21.7	-0.7	21.7	
17	16	120	SH	4	21.7	-0.7	21.7	
18	16	120	SH	4	21.7	-0.7	21.7	

BASIC WIND SPEED (MPH) = 120  
 BUILDING CATEGORY = B USE IMPORTANCE FACTOR 1.0

**FIRST FLOOR CALCULATION**

CALL NUMBER	COMPOSITE AREA (SQ. FT.)	WIND SPEED (MPH)	WIND DIRECTION	WIND EXPOSURE	WIND EFFECTIVE AREA (SQ. FT.)	WIND PRESSURE CO-EFFICIENT (C <sub>e</sub> )	WIND FORCE (LBS)	REMARKS
1	112	120	SH	5	21.7	-0.7	21.7	
2	112	120	SH	5	21.7	-0.7	21.7	
3	56	120	SH	5	21.7	-0.7	21.7	
4	28	120	SH	5	21.7	-0.7	21.7	
5	28	120	SH	5	21.7	-0.7	21.7	
6	28	120	SH	5	21.7	-0.7	21.7	
7	28	120	SH	5	21.7	-0.7	21.7	
8	28	120	SH	5	21.7	-0.7	21.7	
9	28	120	SH	5	21.7	-0.7	21.7	
10	28	120	SH	5	21.7	-0.7	21.7	
11	28	120	SH	5	21.7	-0.7	21.7	
12	28	120	SH	5	21.7	-0.7	21.7	
13	28	120	SH	5	21.7	-0.7	21.7	
14	28	120	SH	5	21.7	-0.7	21.7	
15	28	120	SH	5	21.7	-0.7	21.7	
16	28	120	SH	5	21.7	-0.7	21.7	
17	28	120	SH	5	21.7	-0.7	21.7	
18	28	120	SH	5	21.7	-0.7	21.7	

BASIC WIND SPEED (MPH) = 120  
 BUILDING CATEGORY = B USE IMPORTANCE FACTOR 1.0

REV.	DATE	DESCRIPTION
1	12/28/05	REV. PER CITY

**ARCHITECTS**

**Design Engineers Inc.**

1415 N. W. 10th St., Suite 1200  
 Ft. Lauderdale, FL 33309  
 Tel: 754.366.1200  
 Fax: 754.366.1201  
 www.designengineers.com

**ARCHITECT**  
 WILLIAM H. BELL  
 F.L.A. REG. NO. AT 19809

**D-R-HORTON**  
*America's Builder*  
 www.drhorton.com  
 CR053000

TAMPA "A"  
 SADDLE CREEK  
 LITTLE CREEK

PASCO COUNTY

LEFT &  
 RIGHT  
 ELEVATIONS

WILLIAM H. BELL  
 F.L.A. REG. NO. AT 19809  
 DATE: \_\_\_\_\_  
 SEAL

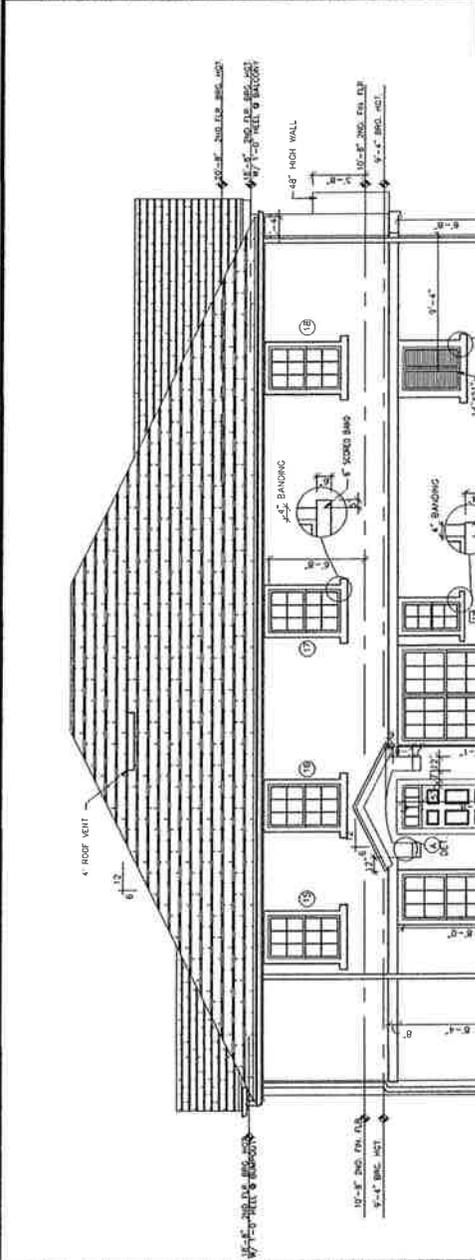
DATE: 4/12/05  
 SCALE: 3/4" = 1'-0"  
 SHEET: A6 OF 6

**FIRST FLOOR CALCULATION**

CONFORMS TO SECTION 105

WALL TYPE	WALL AREA	WIND AREA	WIND SPEED	WIND PRESSURE	WIND FORCE
1	102	102.0	5	21.2	2152
2	102	102.0	5	21.2	2152
3	102	102.0	5	21.2	2152
4	24	24.0	5	21.2	516
5	7	7.0	5	21.2	142
6	38	38.0	5	21.2	386
7	24	24.0	5	21.2	246
8	38	38.0	5	21.2	386
9	60	60.0	5	21.2	616
10	19	19.0	5	21.2	196
11	19	19.0	5	21.2	196
12	19	19.0	5	21.2	196
13	40	40.0	5	21.2	416
14	18	18.0	5	21.2	186
15	18	18.0	5	21.2	186
16	24	24.0	5	21.2	246
17	20	20.0	5	21.2	206
18	24	24.0	5	21.2	246
19	14	14.0	5	21.2	146
20	14	14.0	5	21.2	146

WIND SPEED 30 MPH (10.4 M/S) AT 30 FT. AS PER ASCE 7-02  
 WIND DIRECTION 0° (WIND FROM NORTH)  
 WIND EXPOSURE CATEGORY B (URBAN/ SUBURBAN)  
 WIND PROFILE COEFFICIENT = 0.85 (PER ASCE 7-02)  
 WIND PRESSURE COEFFICIENT = 0.85 (PER ASCE 7-02)  
 WIND FORCE FACTOR = 1.0

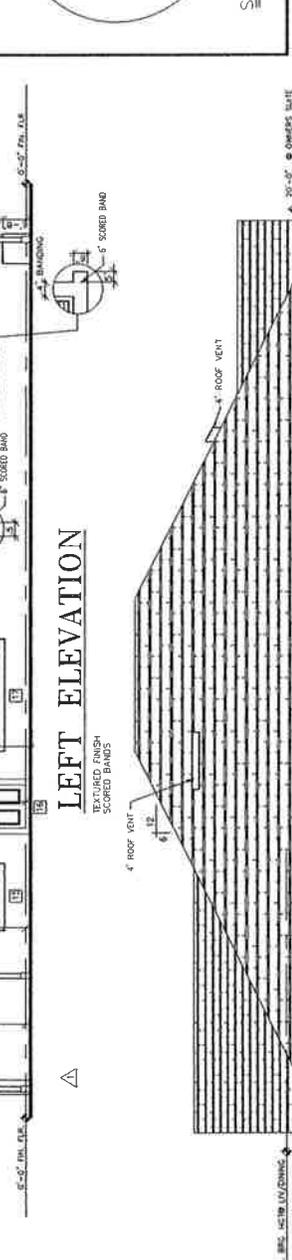
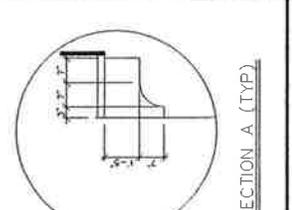


**SECOND FLOOR CALCULATION**

CONFORMS TO SECTION 105

WALL TYPE	WALL AREA	WIND AREA	WIND SPEED	WIND PRESSURE	WIND FORCE
1	32	32.0	5	21.2	326
2	38	38.0	5	21.2	386
3	38	38.0	5	21.2	386
4	32	32.0	5	21.2	326
5	16	16.0	5	21.2	166
6	16	16.0	5	21.2	166
7	16	16.0	5	21.2	166
8	16	16.0	5	21.2	166
9	16	16.0	5	21.2	166
10	16	16.0	5	21.2	166
11	16	16.0	5	21.2	166
12	16	16.0	5	21.2	166
13	16	16.0	5	21.2	166
14	16	16.0	5	21.2	166
15	16	16.0	5	21.2	166
16	16	16.0	5	21.2	166
17	16	16.0	5	21.2	166
18	16	16.0	5	21.2	166
19	16	16.0	5	21.2	166
20	16	16.0	5	21.2	166

WIND SPEED 30 MPH (10.4 M/S) AT 30 FT. AS PER ASCE 7-02  
 WIND DIRECTION 0° (WIND FROM NORTH)  
 WIND EXPOSURE CATEGORY B (URBAN/ SUBURBAN)  
 WIND PROFILE COEFFICIENT = 0.85 (PER ASCE 7-02)  
 WIND PRESSURE COEFFICIENT = 0.85 (PER ASCE 7-02)  
 WIND FORCE FACTOR = 1.0



**FIRST FLOOR CALCULATION**

CONFORMS TO SECTION 105

WALL TYPE	WALL AREA	WIND AREA	WIND SPEED	WIND PRESSURE	WIND FORCE
1	102	102.0	5	21.2	2152
2	102	102.0	5	21.2	2152
3	102	102.0	5	21.2	2152
4	24	24.0	5	21.2	516
5	7	7.0	5	21.2	142
6	38	38.0	5	21.2	386
7	24	24.0	5	21.2	246
8	38	38.0	5	21.2	386
9	60	60.0	5	21.2	616
10	19	19.0	5	21.2	196
11	19	19.0	5	21.2	196
12	19	19.0	5	21.2	196
13	40	40.0	5	21.2	416
14	18	18.0	5	21.2	186
15	18	18.0	5	21.2	186
16	24	24.0	5	21.2	246
17	20	20.0	5	21.2	206
18	24	24.0	5	21.2	246
19	14	14.0	5	21.2	146
20	14	14.0	5	21.2	146

WIND SPEED 30 MPH (10.4 M/S) AT 30 FT. AS PER ASCE 7-02  
 WIND DIRECTION 0° (WIND FROM NORTH)  
 WIND EXPOSURE CATEGORY B (URBAN/ SUBURBAN)  
 WIND PROFILE COEFFICIENT = 0.85 (PER ASCE 7-02)  
 WIND PRESSURE COEFFICIENT = 0.85 (PER ASCE 7-02)  
 WIND FORCE FACTOR = 1.0



# RIVIERA UTILITIES

700 Whispering Pines Rd Daphne, AL 36526  
Phone (251)626-5000 – Fax (251) 626-5993

May 8, 2015

Steven Pumphrey  
Preble-Rish L.L.C.  
Consulting Engineers & Surveyors  
9949 Bellaton Ave  
Daphne, AL 36526

**Re: Preble-Rish L.L.C. – St. Charles Village Condominiums**

Dear Mr. Pumphrey:

This letter is to confirm that the **Preble-Rish L.L.C. – St. Charles Village Condominiums, located on the east side of Pollard Road and approximately a quarter of a mile south of County Road 64 in Daphne, Alabama** is inside Riviera Utilities' service area, according to the Territorial Act of 1985, and that we will provide electrical service to the site. In order to provide the best possible service when needed, please notify me before you are ready to break ground, so we may schedule a pre-construction meeting. In addition, we would like to request that as soon as your final plans are available, that you provide us with a copy.

If additional information is required, or if you need our assistance, please feel free to call. We look forward to serving your electrical needs in the near future.

Sincerely,

Michael Siladi  
Engineering Department  
Riviera Utilities  
251-626-5000

*Serving South Baldwin County*



# Daphne Utilities

Danny Lyndall.  
General Manager

---

## Board of Directors

Robert Segalla, Chairman  
Randy Fry, Vice Chairman  
Fenton Jenkins, Secretary Treasurer  
Billy Mayhand, Board Member  
Dane Haygood Mayor

May 12, 2015

Adrienne Jones  
Director of Community Development  
City of Daphne  
P.O. Box 400  
Daphne, AL 36526

RE: Villas at St. Charles Village

Daphne Utilities has reviewed the plans for the site referenced above and has the following comments/reviewers notes: All items have been addressed and approved.

Notify Daphne Utility Code Enforcement Officer of all utility installations.

Daphne Utilities has the willingness and capacity to provide the following services in support of this development:

(Note: Capacity fees and /or aid-to-construction fees may be applicable)

- . Water
  
- . Gas
  
- . Sewer

Natural Gas, Water, Sewer construction is to be built according to Daphne Utilities standard construction specifications. A copy of our standards is on our website [www.daphneutilities.com](http://www.daphneutilities.com). Please contact me if you have any questions.

Sincerely,

Rex Rentz

Daphne Utility Code Enforcement Officer

---

**AT&T  
NETWORK OPERATIONS-GULF**

**2001 Main St  
Daphne, AL 36526  
251-626-2913  
Jh0785@att.com**

05-12-2015  
Mr. Steve Pumphrey  
Daphne, AL  
**RE: PUD – Villas at St. Charles Village  
Daphne, Baldwin County, AL**

Dear Mr. Pumphrey:

This is in response to your request for confirmation of service availability by AT&T. The above referenced project/development is located in an area served by AT&T.

Prior to confirming service availability to this project, AT&T requires information such as proposed land use, density, site plans, and agreements with respect to service arrangements for the project. Please contact me at the telephone number or email address shown above to arrange for providing any information that you may not have included in this request for service availability. No preparatory work towards providing service will begin at this time.

General information regarding AT&T's service to commercial buildings can be obtained from AT&T's Building Industry Consulting Service (BICS) and at [www.att.com/bics](http://www.att.com/bics).

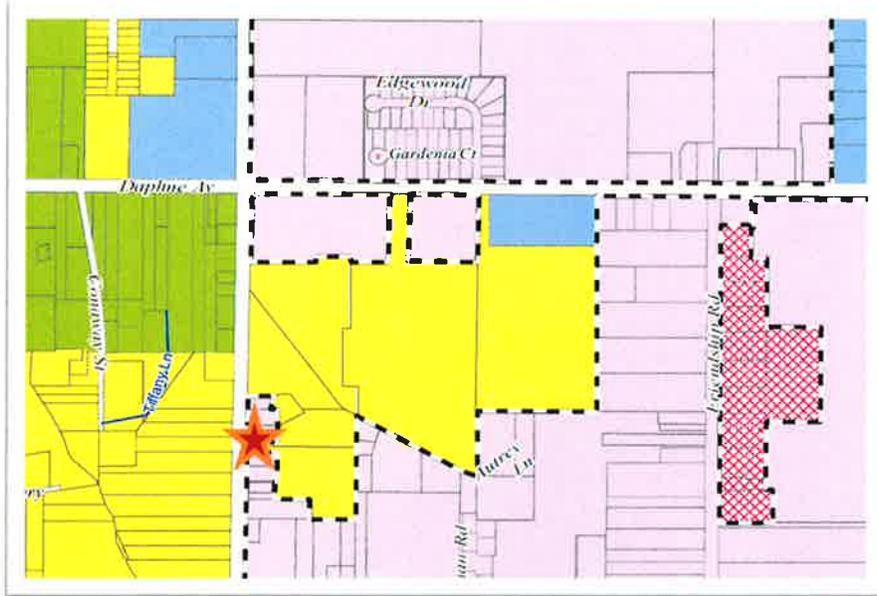
Thank you for contacting AT&T.

Sincerely,

Jeff

Jeffery A. Hadley  
Manager-Outside Plant  
Planning and Design  
2001 Main St  
Daphne, AL 36526  
251-626-2913

**ANNEXATION FOR CADENCE BANK**  
**THE VILLAS OF**  
**ST. CHARLES VILLAGE**



**COMMUNITY DEVELOPMENT  
ANNEXATION REQUEST**

**Annexation of Cadence Bank Properties  
1.08 acres  
Pollard Road, south of intersection of County Road 64**

**EXCERPT FROM ARTICLE 23-1 PROCEDURE [FOR ANNEXATION REQUESTS]**

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

**23-2 PROCEDURE FOR ZONING NEWLY ANNEXED LAND**

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

---

**REQUEST**

The applicant has submitted a petition to annex 1.08 acres of land into the corporate limits of Daphne. Additionally, the applicant has requested to pre-zone (see Code 11-52-85 attached) the site to Planned Unit Development District.

**RECOMMENDATION**

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

**CITY OF DAPHNE, ALABAMA  
ORDINANCE 2015-**

---

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

**Property Located One Quarter Mile South of the Intersection of County Road 64 and  
Pollard Road  
Cadence Bank**

---

**WHEREAS**, on the 26<sup>th</sup> day of March, 2015, being the owner of all real property hereinafter described, did file with the City Clerk a petition asking that the said tracts or parcels of land be annexed into and become part of the City of Daphne, Alabama; and

**WHEREAS**, said petition did contain the signatures of all owners of the described territory and a map of said property showing its relationship to the corporate limits of the City of Daphne, Alabama; and

**WHEREAS**, after proper publication, a public hearing was held by the City Council on July 6, 2015 concerning the petition for annexation; and

**WHEREAS**, said petition has been presented to the Planning Commission of the City of Daphne at a regular scheduled meeting on April 23, 2015, and the Commission set forth a unanimous favorable recommendation for the City Council of the City of Daphne to consider said request for annexation and said property; and

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

**SECTION ONE: ANNEXATION**

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

**SECTION TWO: DESCRIPTION OF TERRITORY**

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

**Legal Description for Annexation:**

LOTS 1-3 OF BOLAR VIEW SUBDIVISION AS RECORDED ON SLIDE  
1532A IN THE PROBATE RECORDS OF BALDWIN COUNTY,  
ALABAMA.

**SECTION THREE: MAP OF PROPERTY**

The property hereby annexed into the City of Daphne, Alabama is set forth and described in Exhibit "A" and attached hereto a map of the property (*Exhibit "B"*) showing its relationship to the corporate limits of the municipality of the City of Daphne and made a part of this ordinance.

**SECTION FOUR: PUBLICATION**

This Ordinance shall be published as required by Section 11-42-21 Code of Alabama 1975, as amended, and the property described herein shall be annexed into the corporate limits of the City of Daphne, and a certified copy of the same shall be filed with the Office of the Judge of Probate of Baldwin County, Alabama as required by Section 11-42-21, Code of Alabama 1975, as amended.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE,  
ALABAMA, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.**

---

**Dane Haygood,  
Mayor**

**ATTEST:**

---

**Rebecca A. Hayes,  
City Clerk**

PLEASE Publish in the Bulletin Legal Section on Wednesday,  
June 3, 2015

**FIRST NOTICE OF PUBLIC HEARING**

Notice is hereby given the first time that the City Council of the City of Daphne will hold a Public Hearing on July 06, 2015 at 6:30 pm in the Council Chambers at City Hall, 1705 Main Street, Daphne, Alabama. The public is welcome to attend and offer comments opposing or favoring a proposed Ordinance annexing certain property as presented below. Any person with an American's with Disabilities Act disability must contact the City Clerk's office ten days prior to the Public Hearing, in order for accommodations to be made.

Rebecca A. Hayes, City Clerk

**PROPOSED ORDINANCE:**

**CITY OF DAPHNE, ALABAMA  
ORDINANCE 2015-**

---

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

**Property Located One Quarter Mile South of the Intersection of County Road 64 and Pollard Road  
Cadence Bank**

---

**WHEREAS**, on the 26<sup>th</sup> day of March, 2015, being the owner of all real property hereinafter described, did file with the City Clerk a petition asking that the said tracts or parcels of land be annexed into and become part of the City of Daphne, Alabama; and

**WHEREAS**, said petition did contain the signatures of all owners of the described territory and a map of said property showing its relationship to the corporate limits of the City of Daphne, Alabama; and

**WHEREAS**, after proper publication, a public hearing was held by the City Council on July 6, 2015 concerning the petition for annexation; and

**WHEREAS**, said petition has been presented to the Planning Commission of the City of Daphne at a regular scheduled meeting on April 23, 2015, and the Commission set forth a unanimous favorable recommendation for the City Council of the City of Daphne to consider said request for annexation and said property; and

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

PLEASE Publish in the Bulletin Legal Section on Wednesday, June 10, 2015

SECOND NOTICE OF PUBLIC HEARING

Notice is hereby given the second time, the first notice was given, June 3, 2015, that the City Council of the City of Daphne will hold a Public Hearing on July 6, 2015 at 6:30 pm in the Council Chambers at City Hall, 1705 Main Street, Daphne, Alabama. The public is welcome to attend and offer comments opposing or favoring a proposed Ordinance annexing certain property as presented below. Any person with an American's with Disabilities Act disability must contact the City Clerk's office ten days prior to the Public Hearing, in order for accommodations to be made.

Rebecca A. Hayes, City Clerk

**PROPOSED ORDINANCE:**

**CITY OF DAPHNE, ALABAMA  
ORDINANCE 2015-**

---

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

**Property Located One Quarter Mile South of the Intersection of County Road 64 and Pollard Road  
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---

**WHEREAS**, on the 26<sup>th</sup> day of March, 2015, being the owner of all real property hereinafter described, did file with the City Clerk a petition asking that the said tracts or parcels of land be annexed into and become part of the City of Daphne, Alabama; and

**WHEREAS**, said petition did contain the signatures of all owners of the described territory and a map of said property showing its relationship to the corporate limits of the City of Daphne, Alabama; and

**WHEREAS**, after proper publication, a public hearing was held by the City Council on July 6, 2015 concerning the petition for annexation; and

**WHEREAS**, said petition has been presented to the Planning Commission of the City of Daphne at a regular scheduled meeting on April 23, 2015, and the Commission set forth a unanimous favorable recommendation for the City Council of the City of Daphne to consider said request for annexation and said property; and

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

**CITY OF DAPHNE**  
**SPECIAL FINANCE COMMITTEE MINUTES**  
**JUNE 25, 2015**  
**6:00 P.M.**

**I. CALL TO ORDER/ROLL CALL**

The meeting was called to order at 6:14p.m. Present were Chairman Randy Fry, Councilwoman Mrs. Conaway, Councilman Pat Rudicell, Councilman Robin LeJeune, Councilman Ron Scott , Councilman John Lake, Mayor Dane Haygood, Finance Director Kelli Kichler, Human Resource Director Vickie Hinman, and Senior Accountant Suz anne Henson. Mr. Davis was absent.

Also in attendance were, City Clerk Rebecca Hayes, Community Development Director Adrienne Jones, Police Chief David Carpenter, Library Director Tonja Young, Civic Center Director Margaret Thigpen, Benefits Coordinator Sherree Hilburn, Battalion Chief Joey Holasz, CD Administrative Assistant Pat Johnson, Civic Center employees: John Williams, Coley White, Bill Stroh, SAIL Site Assistant Arnetta Sims.

**I. PUBLIC PARTICIPATION**

**III. CURRENT BUSINESS**

**A. Revised Personnel Pay Scale**

Mr. Fry stated that Ms. Vickie Hinman was handing out some personnel information and proposed revised pay scale.

Mrs. Hinman reviewed the three handouts she provided:

- 2012 Archer Pay Plan Update
- 2012/2015 Pay Table Comparison showing % differences
- Revised Archer Pay Table with adjustments for Directors and Deputy Director's pay:

Mrs. Hinman noted the City has closed the gap for hourly employees through recent COLA increases. Mrs. Hinman stated that the revised pay plan was brought up to date to include the 2013 step increases, 2014 - 3% COLA, 2015 - 1½% COLA, and all merit increases given since the 2012 pay plan was presented. Mrs. Hinman noted that the pay table comparison shows the City is below market average approximately 3% starting at Grade 2 and increasing to 31% at Grade 38. Mrs. Hinman stated that every employee will receive some level of an increase.

Ms. Kichler stated the table includes all employees adjusted for the increases and adjustments included for Directors and Deputy Directors to meet average salary rates.

Mrs. Hinman noted she was using the average salaries for the pay plan. Mr. Scott stated that he did not feel like we could compete with some of the municipalities with higher salaries but should work with the average. Discussion continued that the cost to implement the proposed pay plan would be \$208,000 including all benefits.

Mr. Lake stated that consideration needs to be given to future personnel cost as well as the cost of attrition. Mr. Lake discussed the cost to train public safety officers and fireman and the issue in previous years of attrition in public safety. Discussion continued that this was why the Public Safety Pay Plan was established in 2007 independent of the Archer Pay Plan. Mrs. Hinman stated that the employees on the Public Safety pay plan (not including the Chief) are currently 16% above other surrounding municipality's salaries.

Battalion Chief Joey Holasz stated that when the Public Safety pay plan was implemented the Battalion Chiefs took a decrease. Mr. Holasz stated that there are now Lieutenants that making \$2/hour more and a 5 year Lieutenant is making significantly more. Mrs. Hinman stated this is correct that when the Fire Department went with the Public Safety pay plan the Battalion Chief's grade was decreased and according to the salary comparisons the Battalion Chiefs and the Chiefs are the only ones on that pay plan that show below the average. Discussion continued that this position needed to be evaluated and adjusted. Mr. Fry stated the Battalion Chief position should be looked at in the FY2016 Budget to allow time to gather comparison salaries.

The Mayor proposed a \$.30/hour increase across the board to address immediate concerns. Discussion continued that the current annual budget included \$150,000 COLA and \$30,000 Merit increase for personnel.

Mrs. Conaway discussed the proposed pay plan and asked the Mayor about available monies. Mayor Haygood addressed the City reaching a danger zone of personnel cost over 60% of budget. The Mayor discussed phasing in the increased cost. Discussion continued on the budgeting of the increase.

Mr. LeJeune expressed his concerns on implementing a blanket increase process and that increases should not be evaluated as a whole. Discussion continued on previous and current ordinances in place setting procedures on new hire pay and internal promotion increases. Mrs. Hilburn stated that there were two department head's starting pay that was restricted below what a new hire could have been hired in as because of a previous ordinance. Discussion continued that Mayor Haygood has since corrected that through adoption of an amended ordinance but these two employees pay is still below what a new hire is eligible for. Mr. LeJeune stated he would like for these personnel ordinances to be reviewed by the Ordinance Committee.

Mr. Rudicell discussed implementing 50% of the increase for non-Directors/Deputy Directors this fiscal year and the remaining 50% next fiscal year but implement 100% for all other employees this fiscal year.

Mr. Scott recommended appropriating one-half of the increase for the new pay plan effective the first pay period of August (\$17,341 for two months in FY15) and the second half on the first pay period of August 2016 (FY16: 10 months at ½ implementation + 2 full months cost = \$121,384). Mayor Haygood asked if this would be in lieu of a COLA or would the COLA be in addition? Discussion continued that budget numbers would have to be looked at to see if a COLA would fit into the FY16 budget. Mrs. Kichler noted there might need to be a consideration of a COLA for the employees on the Public Safety pay plan that are not included in this plan. Mr. Johnson discussed the inequities between what the department heads are receiving and the rank and file employees. Discussion continued that the plan was to get all salaries in line with the average salaries of comparable municipalities and Archer's recommendation. Mr. Scott stated this is not a substitution for COLA but a two-step approach to get everyone up to the level recommended then continued COLAs to maintain.

Mr. Fry discussed the City needs to keep good personnel and go with the recommended proposed pay plan to make this pay adjustment. Mr. Fry noted no proposal will be perfect but we Mr. Fry noted we need to include the Finance Director's pay for CPA certification and adjust the Treasurer's pay to \$5,000 to bring that position's salary in line with the new pay plan.

***Motion by Mr. Scott to:***

- 1) Amend Ordinance 2015- to include the Finance Director's CPA Certification pay-\$12,000 and a portion of the Treasurer's pay \$7,000 (adjusting the Treasurer's pay supplement to \$5,000) in the new pay plan, and***
- 2) Appropriate one-half of the increase for the new pay plan effective the first pay period of August, \$17,341/ and the second half on the first pay period of August 2016 (FY16-\$121,384) from the General Fund. Seconded by Mr. Pat Rudicell. (Randy Fry – Aye / Mrs. Conaway – Aye / Robin LeJeune – Aye / John Lake – Nay). Motion carried.***

**VI. ADJOURN**

The meeting adjourned at 7:45 p.m.

**FY 2015 PERSONNEL BUDGET & THE 2012 REVISED ARCHER PAY TABLE WITH THE FOLLOWING ADJUSTMENTS FOR DIRECTORS AND DEPUTY DIRECTORS**

- 1) Current Step 1-5: No change in step on revised pay table
- 2) Current Step 6-10: 1 Step decrease in revised pay table \*\*
- 3) Current Step 11-15: 2 step decrease in revised pay table
- 4) Current Step 16-20: Based on avg. salaries of 2015 survey
- 5) Public Safety Director's based on Avg. Salaries of 2015 Survey
- 6) Deputy Finance Director Pay Grade decrease to 29 to align with Public Works Deputy Director
- 7) Align PW Deputy Director to step comparable with current salary

Account Description	EXISTING PAY TABLE						2012 ARCHER REVISED						TOTAL INCREASE		
	Grade	Step	Total Wages	Total Benefits	Total Payroll		Grade	Step	Total Wages	Total Benefits	Total Payroll	Total Wages	Total Benefits	Total Payroll	
CITY CLERK	26	13	57,282	20,329	77,611		26	11	58,152	20,464	78,616	870	135	1,005	
DIRECTOR - PERSONNEL	36	3	56,136	19,915	76,051		36	3	70,372	22,047	92,419	14,236	2,132	16,368	
DIRECTOR - FINANCE	36	16	75,791	17,530	93,321		36	16	95,405	19,107	114,512	19,614	1,578	21,192	
CPA/TREASURER			24,000	3,614	27,614				4,600	2,354	6,954	(19,400)	(1,260)	(20,660)	
DIRECTOR-PLANNING	36	3	56,136	19,925	76,061		36	3	70,372	22,057	92,429	14,236	2,132	16,368	
BUILDING OFFICIAL	36	7	62,215	21,637	83,852		36	6	76,149	23,924	100,073	13,934	2,287	16,221	
DIRECTOR-PUBLIC WORKS	38	18	81,886	24,168	106,054		38	10	89,252	26,895	116,147	7,366	2,727	10,093	
DIRECTOR-RECREATION	29	11	58,874	21,642	80,516		29	9	63,457	22,437	85,893	4,582	795	5,377	
DIRECTOR-LIBRARY	29	10	57,577	15,611	73,188		29	9	63,457	16,607	80,064	5,880	996	6,876	
DIRECTOR-CC/CVB	32	7	57,344	20,897	78,241		32	6	66,339	22,383	88,722	8,995	1,486	10,481	
<b>DIRECTORS' TOTAL</b>			<b>587,242</b>	<b>185,268</b>	<b>772,510</b>				<b>657,555</b>	<b>198,276</b>	<b>855,831</b>	<b>70,313</b>	<b>13,008</b>	<b>83,321</b>	
CHIEF-POLICE	<b>PS39</b>	21	87,391	27,178	114,569		<b>38</b>	14	97,451	30,355	127,806	10,060	3,177	13,237	
CHIEF-FIRE	<b>PS37</b>	15	75,327	25,620	100,947		<b>36</b>	12	87,703	28,291	115,994	12,376	2,671	15,047	
<b>CHIEFS' TOTAL</b>			<b>162,718</b>	<b>52,798</b>	<b>215,516</b>				<b>185,154</b>	<b>58,646</b>	<b>243,800</b>	<b>22,436</b>	<b>5,847</b>	<b>28,283</b>	
DEPUTY FINANCE DIRECTOR	32	2	50,403	13,599	64,001		29	2	53,016	14,003	67,020	2,614	405	3,018	
DEPUTY PUBLIC WORKS DIRECTOR	29	10	57,577	20,405	77,982		29	6	58,982	21,315	80,297	1,405	910	2,315	
<b>DEPUTY DIRECTORS' TOTAL</b>			<b>107,980</b>	<b>34,003</b>	<b>141,983</b>				<b>111,998</b>	<b>35,318</b>	<b>147,316</b>	<b>4,019</b>	<b>1,315</b>	<b>5,334</b>	
<b>TOTAL PAYROLL INCREASE:</b>			<b>857,939</b>	<b>272,070</b>	<b>1,130,009</b>				<b>954,707</b>	<b>292,240</b>	<b>1,246,947</b>	<b>96,768</b>	<b>20,170</b>	<b>116,938</b>	

DIRECTOR'S AVG. SALARY BASED ON 2015 SURVEY
\$66,401.00
\$75,973.00
\$79,751.00
\$81,998.00
\$90,475.00
\$66,277.00
\$62,827.00
\$64,455.00
\$97,163.00
\$87,693.00

**FY 2015 PERSONNEL BUDGET & THE 2012 REVISED ARCHER TABLE WITH DIRECTOR ADJUSTMENTS**

	CURRENT			REVISED ARCHER TABLE			INCREASE		
	Total Wages	Total Benefits	Total	Total Wages	Total Benefits	Total	Total Wages	Total Benefits	Total
<b>Legislative (Excluding Council)</b>									
Department Head	57,282	20,329	77,611	58,152	20,464	78,616	870	135	1,005
Other Employees (1)	36,270	17,076	53,346	36,575	17,123	53,698	305	47	352
	<u>93,552</u>	<u>37,404</u>	<u>130,957</u>	<u>94,727</u>	<u>37,587</u>	<u>132,314</u>	<u>1,175</u>	<u>182</u>	<u>1,357</u>
<b>Executive</b>									
Mayor	75,000	23,062	98,062	75,000	23,062	98,062	-	-	-
Other Employees (2)	68,494	27,840	96,333	69,592	28,010	97,602	1,098	170	1,268
	<u>143,494</u>	<u>50,902</u>	<u>194,395</u>	<u>144,592</u>	<u>51,072</u>	<u>195,664</u>	<u>1,098</u>	<u>170</u>	<u>1,268</u>
<b>IT</b>									
Other Employees (1)	39,723	17,640	57,363	40,341	17,736	58,077	618	96	714
<b>Human Resources</b>									
Department Head	56,136	19,915	76,051	70,372	22,047	92,419	14,236	2,132	16,368
Other Employees (2)	92,749	31,595	124,344	94,975	31,940	126,915	2,226	345	2,571
	<u>148,885</u>	<u>51,510</u>	<u>200,395</u>	<u>165,347</u>	<u>53,987</u>	<u>219,334</u>	<u>16,462</u>	<u>2,477</u>	<u>18,939</u>
<b>Finance</b>									
Department Head	99,791	21,246	121,037	100,005	21,563	121,568	214	317	531
Deputy Director	50,403	13,599	64,002	53,016	14,003	67,019	2,613	404	3,017
Other Employees (5)	204,127	83,240	287,367	208,118	83,866	291,984	3,991	627	4,617
	<u>354,321</u>	<u>118,085</u>	<u>472,406</u>	<u>361,139</u>	<u>119,432</u>	<u>480,571</u>	<u>6,818</u>	<u>1,348</u>	<u>8,165</u>
<b>Revenue</b>									
Other Employees (3)	102,190	50,202	152,392	103,626	50,472	154,098	1,436	270	1,706
<b>Municipal Court</b>									
Other Employees (3)	110,356	51,436	161,793	112,186	51,720	163,906	1,830	283	2,113
<b>Community Development</b>									
Department Head	56,136	19,925	76,061	70,372	22,057	92,429	14,236	2,132	16,368
Other Employees (3)	111,902	40,376	152,278	113,936	40,690	154,626	2,034	315	2,349
	<u>168,038</u>	<u>60,301</u>	<u>228,339</u>	<u>184,308</u>	<u>62,748</u>	<u>247,056</u>	<u>16,270</u>	<u>2,447</u>	<u>18,717</u>
<b>Building Maintenance</b>									
Other Employees (5)	177,054	78,545	255,599	179,910	79,072	258,982	2,855	528	3,383
<b>Janitorial</b>									
Other Employees (2)	53,580	21,433	75,013	54,270	21,561	75,831	691	128	818
<b>Total General Government</b>	<b>1,391,193</b>	<b>537,458</b>	<b>1,928,651</b>	<b>1,440,446</b>	<b>545,386</b>	<b>1,985,832</b>	<b>49,253</b>	<b>7,929</b>	<b>57,181</b>
<b>Police Administration</b>									
Department Head	87,391	27,178	114,569	97,451	30,355	127,806	10,060	3,177	13,237
Other Employees (2)	73,450	28,807	102,257	74,767	29,011	103,778	1,317	204	1,521
	<u>160,841</u>	<u>55,986</u>	<u>216,826</u>	<u>172,218</u>	<u>59,366</u>	<u>231,584</u>	<u>11,377</u>	<u>3,381</u>	<u>14,758</u>
<b>Police - Patrol</b>									
Other Employees (2)	60,059	26,494	86,553	60,787	26,607	87,394	728	113	841
<b>Police - Detective</b>									
Other Employees (1)	39,999	17,668	57,666	40,846	17,799	58,645	847	131	979
<b>Communications</b>									
Other Employees (10)	328,096	147,903	475,999	332,719	148,619	481,338	4,623	716	5,339
<b>Corrections</b>									
Other Employees (2)	83,761	25,566	109,327	85,339	25,829	111,168	1,578	263	1,841

	CURRENT			REVISED ARCHER TABLE			INCREASE		
	Total Wages	Total Benefits	Total	Total Wages	Total Benefits	Total	Total Wages	Total Benefits	Total
<b>Animal Control</b>									
Other Employees (3)	99,575	39,507	139,082	101,127	39,765	140,892	1,553	257	1,810
<b>Fire Department</b>									
Department Head	75,327	25,620	100,947	87,703	28,291	115,993	12,376	2,671	15,046
Other Employees (1)	33,383	10,949	44,331	33,845	11,020	44,865	462	72	534
	108,710	36,568	145,278	121,548	39,311	160,858	12,838	2,742	15,580
<b>Building Inspection</b>									
Department Head	62,215	21,637	83,852	76,149	23,924	100,073	13,934	2,287	16,221
Other Employees (4)	172,228	73,636	245,864	175,608	74,185	249,794	3,380	549	3,930
	234,444	95,273	329,716	251,757	98,109	349,867	17,314	2,837	20,150
<b>Code Enforcement</b>									
Other Employees (1)	41,636	12,719	54,355	42,517	12,864	55,381	881	145	1,026
<b>Total Public Safety</b>	<b>1,157,118</b>	<b>457,685</b>	<b>1,614,802</b>	<b>1,208,858</b>	<b>468,269</b>	<b>1,677,126</b>	<b>51,740</b>	<b>10,584</b>	<b>62,324</b>
<b>Public Works - Administration</b>									
Department Head	81,886	24,168	106,054	89,252	26,895	116,147	7,366	2,727	10,093
Deputy Director	57,577	20,405	77,982	58,982	21,316	80,298	1,405	911	2,316
Other Employees (3)	121,815	47,665	169,480	124,313	48,052	172,365	2,499	387	2,885
	261,278	92,238	353,516	272,547	96,264	368,811	11,269	4,025	15,295
<b>Solid Waste</b>									
Other Employees (18)	630,059	292,788	922,847	640,095	294,896	934,990	10,035	2,108	12,143
<b>Grounds</b>									
Other Employees (13)	388,326	200,949	589,274	392,854	201,830	594,684	4,529	881	5,409
<b>Mowing</b>									
Other Employees (8)	253,253	123,389	376,641	256,971	124,112	381,083	3,718	723	4,441
<b>Mechanic Shop</b>									
Other Employees (8)	272,064	129,148	401,212	276,041	129,873	405,914	3,977	725	4,702
<b>Total Public Works</b>	<b>1,804,979</b>	<b>838,512</b>	<b>2,643,491</b>	<b>1,838,508</b>	<b>846,974</b>	<b>2,685,482</b>	<b>33,529</b>	<b>8,462</b>	<b>41,991</b>
<b>Recreation - Sports Park</b>									
Other Employees (6)	186,315	82,163	268,478	189,255	82,735	271,989	2,939	572	3,511
<b>Recreation</b>									
Department Head	58,874	21,642	80,516	63,457	22,437	85,893	4,582	795	5,377
Other Employees (5)	187,246	71,937	259,183	190,254	72,450	262,704	3,008	513	3,521
	246,120	93,579	339,699	253,710	94,887	348,597	7,590	1,308	8,898
<b>Library</b>									
Department Head	57,577	15,611	73,188	63,457	16,607	80,064	5,880	996	6,876
Other Employees (10)	344,675	140,577	485,252	350,754	141,631	492,384	6,078	1,054	7,132
	402,252	156,188	558,440	414,211	158,238	572,448	11,958	2,050	14,008
<b>Total Recreation</b>	<b>834,688</b>	<b>331,930</b>	<b>1,166,617</b>	<b>857,175</b>	<b>335,859</b>	<b>1,193,035</b>	<b>22,488</b>	<b>3,929</b>	<b>26,417</b>
<b>Garbage</b>									
Other Employees (7)	230,634	118,223	348,857	233,969	118,940	352,909	3,335	717	4,052
<b>Recycling</b>									
Other Employees (5)	152,841	84,314	237,155	154,866	84,749	239,615	2,024	435	2,459
<b>Civic Center/Bayfront</b>									
Department Head	57,344	20,898	78,242	66,339	22,383	88,722	8,995	1,485	10,480
Other Employees (5)	170,767	73,597	244,364	173,507	74,039	247,545	2,739	442	3,181
	228,111	94,494	322,605	239,846	96,421	336,267	11,735	1,927	13,662
<b>Total Enterprise</b>	<b>611,587</b>	<b>297,031</b>	<b>908,617</b>	<b>628,680</b>	<b>300,111</b>	<b>928,791</b>	<b>17,094</b>	<b>3,080</b>	<b>20,173</b>

	CURRENT			REVISED ARCHER TABLE			INCREASE		
	Total Wages	Total Benefits	Total	Total Wages	Total Benefits	Total	Total Wages	Total Benefits	Total
Total Department Head	749,960	238,169	988,129	842,709	257,023	1,099,732	92,749	18,854	111,602
Total Deputy Directors	107,980	34,004	141,984	111,998	35,319	147,317	4,018	1,315	5,333
Mayor	75,000	23,062	98,062	75,000	23,062	98,062	-	-	-
Total Other Employees	4,866,624	2,167,380	7,034,004	4,943,960	2,181,195	7,125,155	77,336	13,815	91,151
Total	5,799,564	2,462,615	8,262,179	5,973,666	2,496,599	8,470,265	174,103	33,984	208,086

**Buildings & Property Committee Meeting**  
**Monday, June 1, 2015**  
**4:30 PM**  
**Daphne City Hall- Executive Conference Room**

**Committee Minutes**

**Present:** Councilman Joe Davis; Councilman Randy Fry; Councilwoman Tommie Conaway; Councilman Pat Rudicell; Sarah Toulson, Assistant City Clerk (recording secretary); Kevin Boucher, City Attorney; Richard Johnson, Public Works Director; Victoria Phelps, Lake Forest Property Owners Association; Selena Vaughn, Village Point Foundation; Margaret Thigpen, Civic Center Director; Richard Merchant, Building Official; Councilman Ron Scott; Councilman Robin Lejeune; Suzanne Henson, Senior Accountant; Tom Walker, Daphne Fire Department; Councilman John Lake (arrived at 4:43 p.m.).

**Absent:** Mayor Dane Haygood; Rick Whitehead, IT Coordinator.

**The meeting was brought to order at 4:30 pm by Chairman Joe Davis.**

**1. Protocol for Public Participation**

Chairman Davis addressed the Committee regarding the establishment of guidelines for public participation, stating the need to limit time to present by the public, and that he would in the future require any requests by the public for action by the Committee be submitted in writing before the meeting.

**2. Public participation**

Selena Vaughn addressed the Committee. She first reported that the recently held Archaeology Day at Village Point Park was a success. Second, she addressed recent discussions regarding the movement of funds from use for Bayfront property acquisition to use for recreation. She spoke against the reallocation of funds, stressing that there were great plans and aspirations for Bayfront property acquisition and improvement.

Victoria Phelps of the Lake Forest POA addressed the Committee to provide feedback regarding the Lake Forest golf course lease. She thanked the Committee on behalf of the Board for getting through the process of arranging the lease and noted that everyone on the POA Board was excited to move forward with the project.

Further discussion by the Committee regarding the Lake Forest Park entailed the need to consider signage, branding, and naming of the park.

**3. Approval of minutes: May 4, 2015**

**Motion** by Mr. LeJeune to adopt the May 4, 2015 minutes as written. Seconded by Mr. Rudicell. **Motion carried unanimously.**

#### **4. Civic Center, Bayfront, and CVB report (May): Margaret Thigpen**

Margaret Thigpen distributed and discussed her May report. May 2015 revenue totaled \$13,261.00, a decrease from May 2014 levels. Year to Date revenues stood at \$113,584.00, below figures listed for FY2014. Additionally, Ms. Thigpen reported total deposits for May stood at \$12,029.00, and that the Civic Center has seen ten events during May, for a total of 12 days used, not including setup days. Regarding the difference in revenue between 2015 and 2014, Ms. Thigpen noted that there is a five day difference between months, and one consignment group that was with the City in 2014 is no longer in existence and no longer using the Civic Center. She did note, however, that the Civic Center has not lost business from existing repeat vendors.

#### ***Councilman John Lake arrived at 4:43 p.m.***

Ms. Thigpen then turned to Bayfront Pavilion, reporting revenues for May totaling \$5,725.00, below May 2014 levels, and year-to-date revenues totaling \$47,860.00, a decrease from 2014 numbers. Additionally, Ms. Thigpen reported total deposits for May stood at \$5,835.00, and that Bayfront Pavilion has seen seven events during May, for a total of eight days used, not including setup days. Regarding the difference in revenue levels, Ms. Thigpen noted a six day differential and reimbursements for events that occurred during a breakdown of the facility HVAC system.

Also mentioned:

- Ms. Thigpen noted the list of special events, which included the Baldwin County Republican Party Dinner on June 5<sup>th</sup>, which would entertain the Honorable Allen West as speaker, and the Sixth Annual Community Awareness Event sponsored by the Drug Court Foundation, which would be held on June 9<sup>th</sup> and entertain Marcus Luttrell, decorated Navy Seal and Best-Selling Author as speaker.
- She has put out for quotes for a digital sign for the Civic Center, and is waiting for further information, which she hopes to have gathered by the July Buildings and Property Committee meeting.
- Window replacement at Bayfront Pavilion: Mayor Haygood has asked for a feasibility study on adjusting the bay-facing windows at the Pavilion to be entirely glass. Richard Merchant explained the desired effect in further detail and the building's limitations. Ms. Thigpen noted that this project may be pushed into the next budget year due to the delay.

#### **5. Surplus Property: Suzanne Henson**

Suzanne Henson informed the Committee that next month's agenda would include a Surplus Property Resolution to handle some Ford Crown Victorias no longer needed by the City. Mayor Haygood is currently determining how these vehicles will be handled.

## **6. Building inspection monthly reports (May): Richard Merchant**

Richard Merchant reviewed the building report for the month of May. He reported ten new residential construction projects initiated for the month, with a total of 134 new residential permits for the 2015 fiscal year, and two new commercial developments. The department issued 105 permits during May, with a total job valuation of \$23,274,513.00 with permit fees totaling \$145,715.50.

## **7. DRA Bicycle Rack Update**

Richard Johnson noted that the completed bicycle racks (four sets) were delivered to Public Works today. He noted that two of the racks included seating that would attach behind the racks placed at Centennial Park. All four sets should be installed by Independence Day weekend.

## **8. Other Business**

- Richard Johnson updated the Committee regarding the status of needed repairs at the Ruff Wilson Youth Center at the behest of Council President Conaway. He noted that \$20,000.00 had been budgeted for maintenance on the facility, and his staff is currently cataloguing problems with the building to determine the best course of action.
- Mr. Johnson also noted the request made by the Daphne Art Center to include the installation of skylights with roof repairs needed at the Art Center. He noted that skylights were not included in the current roof repair plans, but the requested track lighting could be accommodated within budgetary constraints.

**With no further business to discuss, the meeting was adjourned at 5:, motion by Mr. Scott and seconded by Mr. Fry.**



## **Public Safety Committee**

*Monday, June 15, 2015*

Councilman Pat Rudicell  
Councilman Randy Fry  
Councilman Robin LeJeune  
Councilman Ron Scott  
Fire Chief James White  
Public Works Director, Richard Johnson

Police Chief David Carpenter  
Captain Scott Taylor  
Tracy Bishop - Secretary  
Councilwoman Tommie Conaway  
Councilman John Lake  
Councilman Joe Davis

### **Committee Members Attending:**

Councilman Robin LeJeune, Councilman Ron Scott, Councilwoman Conaway, Councilman Randy Fry, Councilman Joe Davis, Councilman John Lake, Chief David Carpenter, Chief James White, Captain Jud Beedy

### **CALL TO ORDER**

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

**PUBLIC PARTICIPATION** – None

### **APPROVAL OF MINUTES FROM PREVIOUS MEETING**

Minutes from May 2015 were adopted. Motion was made by Councilman LeJeune and seconded by Councilman Fry. Motion passed.

### **POLICE DEPARTMENT**

- A. New Business** – Councilman Scott asked about the stop signs in Timbercreek. He was advised that they are on schedule and will be up by July 1<sup>st</sup>. Have been waiting on the POA decorative poles. Captain Beedy explained that the generator at the police department is out of service and over 20 years old. When the city lost power a few weeks ago that means nothing works, phones, radio system (which also affects the fire department), door entry system, etc. The PD had to dispatch out of the jail van during this outage. We are currently renting a generator for \$4,000 per month. Councilman Scott asked what the price of a new generator is. Beedy stated it would cost \$25,000 - \$30,000 to repair the old generator, a new diesel generator would be \$68,000, and a natural gas generator would cost between \$90,000 and \$92,000. The natural gas generator was recommended. Suzanne Henson is working with the insurance company for replacement cost under equipment breakdown policy. Councilwoman Conaway asked how long it will take to get the new generator up and running and she was advised 3 months. Will put on the July 6, 2015 council agenda. Will be FY15. Councilman Davis asked if there would be any salvage value on the old generator and Suzanne stated that it was 20 years old and has depreciated a good bit.

Captain Beedy mentioned that the PD had just been granted permission to apply for a COPS Grant. It would cost \$200,000 over the next 5 years for 2 officers. The city would pay 25% over the next 3 years and then we have to guarantee to keep them on payroll for 2 additional years after that. Councilman Fry asked how much our 25% would be and that would be \$80,000 for 2 officers for 3 years (benefits and all). Fry will bring up the vote at council meeting tonight. Councilman LeJeune asked if the PD was going to be asking for more officers this year and Chief stated no but in the future he would be. Councilman Lake reminded Beedy to be prepared to budget for all other

expenses other than payroll for these 2 officers.

Captain Beedy handed out packets with body camera information and prices. He had two prices from two different vendors (WatchGuard and Taser). WatchGuard is the preferred vendor. We need 40 cameras at a cost of \$36,000.00 with a backend (server, access points, and storage) for a cost of \$7,900.00. It will cost approximately \$19,000.00 for the backend that would handle all body camera and in-car video storage. Councilman LeJeune asked what the storage room was on the body camera. Beedy stated 8 hours of recording. Councilman Fry asked if he had applied for grants to fund the body cameras. Beedy replied that he had found a 100% grant and have put in to apply for it. He should have an answer back from them within the next few weeks on whether they will allow us to apply or not. We would like to start replacing the old camera systems at a rate of 6 per year as we get in the new vehicles each budget year. Councilman Scott stated that there needs to be a narrative on the time process of what we are doing. (Taser was the other vendor in the package at a price of \$297,000.00 over 5 years for 45 body cameras, cloud storage which equals \$70,000 per year and they have no in-car camera systems).

Councilman Scott asked Code Enforcement to attend meeting today. Council gets most of their calls concerning code enforcement. What is the easiest way to get complaints to you? Call his cell phone or e-mail. Matt Creel stated he's still riding alongside Lonnie Jones learning the job. Still learning day by day. Councilman Davis stated with regard to the cooler, I had a question about if they got a sales tax permit but that is a part of our licensing procedure here.

Chief went over stats. Councilman Scott asked if Riviera Utilities could communicate with us a little better. Councilman Lake asked to contact Riviera for a contact in cases of power outages. D-Runs will be down tremendously. We are going to start using it as a Directed Patrol only. Only if they are directed will they document it. Councilman Scott asked the PD to check with the court to fund items. Chief stated that the Judge helps us out quite frequently and rarely says no when we ask. Councilman LeJeune asked for a Jail Food comparison last year vs this year for next month's meeting.

## **FIRE DEPARTMENT**

**A: New Business** – Chief White went over his stats. A spring on one of the overhead doors at Station 2 broke which makes the doors inoperable. It is the third one to break this year. It costs \$2,700 for replacement of the spring. He would like to change the doors at Station 2 to the ones that are being put at Station 3 right now. They are lighter and have a wind rating of 140 mph. Councilman Lake asked how much the lighter doors cost. For two it is \$30,000. It will be belt driven, not chain driven. Station 3 is coming along real well. The contractor is having issues getting in touch with the architect. He finally showed up last week and Chief White told him how upset the contractor was with him. Billy Bullock of Papa Murphy's painted his own fire lane in front of his establishment.

**Old Business** –

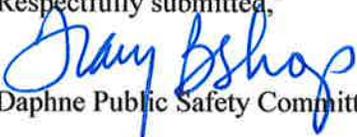
**OTHER BUSINESS:** Councilman Lake asked when the doors are replaced he would appreciate when

you talk to the door companies, get their recommendations of an architect. Chief White stated that no architect would be needed for this project. Lake also stated that he has heard that during the power outage a few weeks ago, that police presence was very strong and he would like to say thanks and a job well done.

**ADJOURN**

There being no further business to discuss, Councilman LeJeune made a motion to adjourn the meeting at 5:30 p.m. Councilman LeJeune seconded. The next meeting will be Monday July 20, 2015 at 4:30 p.m. at City Hall Council Chambers.

Respectfully submitted,

  
Jay Bishop  
Daphne Public Safety Committee



**CITY OF DAPHNE**  
**FIRE DEPARTMENT MONTHLY REPORT**  
**Report Period April 2015**

	Current:	FY to Date:
<b>Suppression:</b>		
<b>1-Fire/Explosion:</b>	-	-
10-Fire, Other	1	3
11-Structure Fire/Commercial	10	2
11-Structure Fire/Residential	0	6
12-Fire in Mobile Property used as fixed structure	0	2
13-Mobile Property (vehicle) Fire	3	9
14-Natural Vegetation Fire	0	4
15-Outside Rubbish Fire	0	4
16-Special Outside Fire	0	1
17-Cultivated Vegetable Crop Fire	0	0
<b>2-Overpressure Rupture:</b>	1	0
<b>3-Rescue Call and Emergency Medical Service Incidents:</b>	173	636
<b>4-Hazardous Conditions (No fire):</b>	5	11
<b>5-Service Call:</b>	14	66
<b>6-Good Intent Call:</b>	17	66
<b>7-False Alarm &amp; False Call:</b>	22	77
<b>8-Severe Weather &amp; Natural Disaster:</b>	0	0
<b>9-Other Situation:</b>	0	2
<b>Total Emergency Calls:</b>	<b>237</b>	<b>866</b>
<b>Monthly Total Calls:</b>	<b>242</b>	<b>901</b>
<b>Highest:</b>		
	16:00	16:00
<b>Lowest:</b>		
	<1:00	<1:00
<b>Average (Minutes/Seconds) :</b>		
	05:15	05:15
<b>Training Hours</b>		
	283.75	1688.50
<b>Property Loss - \$</b>		
	\$663,000.00	\$1,557,500.00
<b>Fire Personnel Injuries by Fire/Civilian Injuries by Fire</b>		
	0	0
<b>Advance Life Support Rescues</b>		
	136	493
<b>Number of Patients Treated</b>		
	169	636
<b>Child Passenger Safety Seat Inspections/Installations</b>		
	12	49
<b>Pre-Plans</b>		
	78	192
<b>Classes</b>		
	10	37
<b>Persons Attending</b>		
	72	294
<b>Plan Reviews</b>		
	2	8
<b>Final/Certificate of Occupancy</b>		
	0	3
<b>General/Annual Inspections</b>		
	124	452
<b>General/Re-Inspections (Violation Follow-up - Annual)</b>		
	27	169
<b>Business Licenses</b>		
	3	19
<b>All Other/Misc. Activities</b>		
	6	14
<b>Total Activities:</b>	<b>162</b>	<b>665</b>

Authorized by:

*James White*

8

# **ORDINANCE COMMITTEE**

*Wednesday, June 15, 2015  
City Hall Executive Conference Room  
1705 Main Street  
Daphne, AL  
5:30 P.M.*

*Councilman Ron Scott, Chairman  
Councilman Randy Fry  
Councilman Pat Rudicell  
Councilman Robin LeJeune*

*Councilwoman Tommie Conway  
Councilman John Lake  
Councilman Joe Davis*

## **I. CALL TO ORDER/ROLL CALL**

The chairman declared a quorum was present and called the meeting to order at 5:30 p.m.

**Members Present:** Ron Scott; Randy Fry; Robin LeJeune; Tommie Conaway; John Lake; Joe Davis.

**Absent:** Pat Rudicell.

**Also Present:** Rebecca Hayes, City Clerk / recording secretary; Richard Johnson, Public Works Director; Matt Creel, Code Enforcement Officer; Mr. Mel Balch and Pat Daugherty with the Press-Register.

## **II. APPROVE MINUTES / May 26, 2015**

There were no corrections to the May 26, 2015 minutes and stand approved as written.

## **III. PUBLIC PARTICIPATION**

No one spoke.

## **IV. ORDINANCE REVIEW/DISCUSSION**

### **a.) Discuss: Regulate the Distribution of Handbills Ordinance**

Mr. Pat Daugherty, Press-Register, said they want to work with the city anyway possible to solve this issue. They prefer to reach an agreement without an ordinance. They are willing to offer to Daphne to conduct a weekly sweep on Friday sending people out to retrieve any papers at addresses where people do not pick up the papers. They already do this for Fairhope and Foley. Again, they desire not to have an ordinance, and be given the opportunity to solve the problem and work together.

Consensus of the committee is to wait and see how the seep program works before implementing an ordinance.

**V. ANY OTHER BUSINESS DEEMED NECESSARY**

The committee discussed amending the community contribution ordinance where they will have the opportunity to pick one group out of the participants, and give a one-time extension per year. Consideration for amending the ordinance is the result of a request from Thomas Hospital for \$50,000 for five years for a Birthing Center. The committee discussed ways to fund the Thomas Hospital project.

**VI. NEXT MEETING / July 20, 2015**

**VII. ADJOURN**

**MOTION BY Councilman LeJeune to adjourn. Seconded by Councilman Lake.**

**MOTION CARRIED UNANIMOUSLY**

**THERE BEING NO FURTHER BUSINESS TO DISCUSS THE MEETING  
ADJOURNED AT 6:20 P.M.**

**DOWNTOWN REDEVELOPMENT AUTHORITY**  
**1705 MAIN STREET, DAPHNE, AL**  
**June 24, 2015**

**COMMITTEE MINUTES**

**Members Present:** Casey Zito, Dorothy Morrison, Ken Balme, Debbie Strahley, Dayna Oldham

**Also Present:** Councilwoman Tommie Conaway; Melissa Wilt (Recording Secretary); Rebecca Hayes, City Clerk; Leah Washington; Nicole Sims

***Chairman Casey Zito called the meeting to order at 5:35 p.m.***

**1. Public Participation**

Daphne residents Nicole Sims and Leah Washington proposed the Back to School Bash at Lott Park on Saturday, August 22<sup>nd</sup>, 2015. The Bash would include local food vendors, bounce houses and a movie, Big Hero 6, for families to enjoy and celebrate the start of the school year. It would also be an opportunity for Olde Towne Daphne to remain open that evening to promote products. Mini-Grant Application completed for consideration.

**Motion:** to allocate funding and approve sponsoring the Back to School Bash Movie pending approval from City Attorney for \$1,500.00. **Moved by Dorothy Morrison, Second by Debbie Strahley.**  
**Carried unanimously.**

**2. Approval of Minutes**

**Motion:** to approve the minutes from the May 27, 2015 meeting as written. **Moved by Dayna Oldham, Second by Dorothy Morrison.**  
**Carried unanimously.**

**3. Treasurer's Report**

Chairman Zito reviewed the Treasurer's report, stating DRA funds currently stood at \$157,206.20 and noted that this amount included the \$3,150.00 payment to Daphne Art Center for TV commercial spots for the Old Towne Daphne Farm and Art Faire.

**Motion:** to approve the June 24, 2015 Treasurer's Report as written. **Moved by Dorothy Morrison, Second by Dayna Oldham.**  
**Carried unanimously.**

#### **4. Discussion**

Chairman Zito asked Ken Balme if he felt the advertising increased participation for the farm and art faire. Mr. Balme said yes, they believe the event had more attendees this year and people commented on seeing the ad. Chairman Zito recommended the faire be moved to an earlier date prior to school being out for the summer.

#### **5. Bicycle Racks**

Chairman Zito reported that the bicycle racks had been installed in several locations and noted Public Works pouring concrete at Sculpture Park entrance. Requested committee holds an unveiling celebration of the bicycle racks to help promote them. She mentioned aiming for the beginning of August and for Debbie Strahley to contact the local bicycle groups to gauge participation.

#### **6. Pine Grove Mini Grant Application**

The committee reviewed a mini-grant application submitted by Joe Bullard. The application requests DRA contribute funds to remove the old roof and provide a new roof for the Pine Grove Lodge building. Application states the building will be available for community use and hopes to preserve the historic building. Committee requests Mr. Bullard be present or available via phone conference to discuss application further at the next meeting prior to voting.

#### **7. Other Business Deemed Necessary**

**Website:** Chairman Zito noted website should be available for review any day now - still need bios from some committee members.

**Constant Contact:** Chairman Zito requested follow up on Constant Contact training seminar that had been discussed for downtown businesses.

**American Flags:** Dorothy Morrison asked if committee supported purchasing additional American Flags for the downtown area. Committee agreed this would be a great touch. Ms. Morrison will discuss with Beautification Committee.

***With no other business to consider, the meeting was adjourned at 7:00 p.m. Moved by Dayna Oldham, seconded by Dorothy Morrison. Motion carried unanimously.***

***Next Meeting: July 22<sup>nd</sup> at 5:30 pm.***

**CITY OF DAPHNE, AL  
INDUSTRIAL DEVELOPMENT BOARD MEETING  
1705 MAIN STREET, DAPHNE, AL  
JUNE 22, 2015  
6:00 P.M.**

**1. CALL TO ORDER/ROLL CALL**

There being a quorum present the chairman called the meeting to order at 6:05 p.m.

**MEMBERS PRESENT** – Toni Fassbender; Denis Kearney, III; Pokey Miller; John Cox; Doug Bailey.

Absent: Jeffrey Ramsland, Dan Romanchuk.

Also present – Rebecca Hayes, Recording Secretary; Councilman Joe Davis, Council Liaison; Lee Johnson, BCEDA; Heiko Einfeld, Executive Director for ES Chamber of Commerce.

**2. APPROVE MINUTES / March 30, 2015**

**MOTION BY Denis Kearney to approve the March 30, 2015 meeting minutes as written. Seconded by Doug Bailey.**

**MOTION CARRIED UNANIMOUSLY**

**3. PUBLIC PARTICIPATION**

No one spoke.

**4. TREASURER'S REPORT**

Cash Balance March 30, 2015: \$408,519.21

Deposits

Interest: \$132.59

Hotel Tax: \$11,979.89

Less

Debit for Harlan Clark: \$12.81

Cash Balance April 30, 2015: \$420,618.88

Receivable Check #00169657: \$14,657.82

Receivable Check #00170154 \$13,155.49

**MOTION BY Denis Kearney to accept the Treasurer's report as presented. Seconded by John Cox.**

**MOTION CARRIED UNANIMOUSLY**

**CITY OF DAPHNE, AL  
INDUSTRIAL DEVELOPMENT BOARD MEETING  
1705 MAIN STREET, DAPHNE, AL  
JUNE 22, 2015  
6:00 P.M.**

**5. OLD BUSINESS**

**1.) Discuss DISC Project**

Toni reported that since the presentation before council they have received a lot of interest in the project. There were articles in the paper, and spots on TV regarding the project. They have received a letter of support from SARPC and a letter of intent from a developer. Doug represented the project at the Site Review meeting last Wednesday and will also be there for the Planning Commission meeting on Thursday. There has been a grant submitted for the infrastructure for the project.

**6. NEW BUSINESS**

No new business.

**7. REPORT FROM BALDWIN COUNTY ECONOMIC ALLIANCE**

Lee Johnson reported on the Paris Air Show, and some of the interest in businesses wanting to come to Baldwin County.

**8. OTHER BUSINESS**

Heiko Einfeld reported that the chamber is working on the Jubilee Festival and the Fairhope Arts and Craft Festival and they have made some exciting additions to both festivals.

**9. NEXT MEETING**

The next meeting will be April 27, 2015

**10. ADJOURN**

**MOTION BY Denis Kearney to adjourn. Seconded by Doug Bailey.**

**MOTION CARRIED UNANIMOUSLY**

**The board adjourned at 7:08 p.m.**

Submitted by:

Certification of Presiding Officer:

\_\_\_\_\_  
Rebecca Hayes, Secretary

\_\_\_\_\_  
Toni Fassbender, Chairman

Call to Order:

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

Call of Roll:

Members Present:

Monty Montgomery, Secretary  
Don Terry, Vice Chairman  
Larry Chason, Chairman  
Tyrone Fenderson  
Charles Smith  
Chief White

Staff Present:

Adrienne Jones, Director of Community Development  
Jan Vallecillo, Planning Coordinator  
Kevin Boucher, Attorney

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

Chairman asked for questions, comments or corrections to the minutes *of the regular meeting of April 23, 2015. There being none, the minutes are approved as submitted.*

The next order of business is subdivision exemption review for the Replat of Lots 18 & 19, Ervin Subdivision.

An introductory presentation was given by Mr. Francesca Ervin, owner, of a subdivision exemption request for a two-lot subdivision consisting of three point seven three acres located northwest of Japonica and Park Drive.

Chairman asked for Commission questions or comments. He stated the lots meet the minimum requirements so all we are doing is granting an exemption.

Ms. Jones stated Mr. Ervin is just relocating the interior lot line.

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

A **Motion** was made by Mr. Terry and **Seconded** by Chief White to **grant approval of the subdivision exemption for the replat of Lots 18 and 19, Ervin Subdivision.**

*There was no discussion on the motion. The Motion carried unanimously.*

The next order of business is preliminary/final plat review for Peaceful Acres.

An introductory presentation was given by Mr. Jacque Cory, representatives of CGPCW Trust, requesting preliminary/final plat approval of three lot subdivision consisting of approximately twenty-eight acres located on River Road North.

Chairman asked for Commission questions or comments.

Chief White asked who provides fire protection in this area and Mr. Cory stated Belforest Volunteer Fire Department.

The Commissioners discussed access to the property and the bay and questioned the number of parcels in the subdivision, finding there are three lots.

Ms. Jones stated the parcel that is located in the southeast corner of the property was done in the past and has its own parcel number.

Chairman asked if there are any outstanding issues and Ms. Jones responded none.

Chairman opened the floor to public participation. No one came forth. He closed public participation and asked for Commission questions or comments and a motion for approval.

**A Motion was made by Mr. Terry and Seconded by Mr. Fenderson to grant approval of the preliminary/final plat for Peaceful Acres Subdivision. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is a preliminary plat review for Brookhaven Subdivision, Unit 2, Part C.

An introductory presentation was given by Mr. Steve Pumphrey, representative of Preble-Rish, of preliminary plat review for a twelve-lot subdivision consisting of approximately four point two eight acres located northwest of the intersection of Whispering Pines Road and County Road 13. All of the staff comments were addressed prior to the meeting.

Chairman opened the floor to public participation. No one came forth. He closed public participation and asked for Commission questions or comments and a motion for approval.

**A Motion was made by Mr. Terry and Seconded by Mr. Montgomery to grant approval of the preliminary plat for Brookhaven Subdivision, Unit 2, Part C.**

*There was no discussion on the motion. The Motion carried unanimously.*

The next order of business is public participation.

Chairman asked for public participation. No one came forward. He closed public participation.

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

Mr. Boucher stated no report.

The next order of business is commissioner's comments.

None presented.

The next order of business is director's comments.

Ms. Jones presented that the Self Service Vending Unit Signage and B-2 (a), General Business Alternative, ordinances were approved by the City Council at the meeting of Tuesday, May 26, 2015 and the upcoming meeting dates are site preview, June 17, and regular meeting, June 25, 2015.

*There being no further business, the meeting was adjourned at 5:17 p.m.*

*Respectfully submitted by:*

  
\_\_\_\_\_  
Jan Vallecillo, Planning Coordinator

**Approved:** June 25, 2015

  
\_\_\_\_\_  
Don Terry, Vice Chairman

**CITY OF DAPHNE**  
**PLANNING COMMISSION AGENDA**  
**REGULAR MEETING OF JUNE 25, 2015** **REPORT**  
**COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.**

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1. **CALL TO ORDER**

2. **CALL OF ROLL:** DON TERRY, CHIEF WHITE, CHARLES SMITH, RON SCOTT, TYRONE FENDERSON, HUDSON SANDEFUR AND MONTY MONTGOMERY

3. **APPROVAL OF MINUTES:**

Review of minutes for the regular meeting of May 28, 2015. **(APPROVED AS SUBMITTED)**

4. **NEW BUSINESS:**

A. **SUBDIVISION EXEMPTION REVIEW:**

1. **File SRP15-04: (APPROVED)**

**Subdivision: Replat of Lot 2B of the Resubdivision of Lot 2, Webb FLP Subdivision**

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

**Location:** On the west side of U. S. Highway 98, north of Van Avenue  
**Area:** 6.74 Acres  $\pm$ , (1) lots  
**Owner:** Webb Family Limited Partnership - Scottie Webb  
**Engineer:** Preble-Rish - Steve Pumphrey

2. **File SRP15-05: (APPROVED)**

**Subdivision: Replat of Fischer and Spotswood Parcels**

***Present Zoning: M1, Light Industrial***

**Location:** Southwest of the intersection of Milton Jones Road and Alabama Highway 181  
**Area:** 8.94 Acres  $\pm$ , (2) lots  
**Owner:** Kevin Fischer & Jonathan Spotswood  
**Surveyor:** Geo-Surveying - Matt & Jima Kountz





**SET PUBLIC HEARING DATE FOR**

**AUGUST 3, 2015**

**TO CONSIDER:**

- a.) Pre-zone: The Bills' No. 2, LLC  
Located: Southwest corner of the intersection of  
Champions Way and AL Hwy. 181  
Present zoning: RSF-1, Single Family Residential District,  
Baldwin County District 15  
Requested zoning: PUD, Planned Unit Development, City of  
Daphne  
Recommendation: Unanimous favorable
- b.) Annexation: The Bills' No. 2, LLC  
Location: Southwest corner of the intersection of  
Champions Way and AL Hwy. 181  
Recommendation: Unanimous favorable

To: Office of the City Clerk  
From: Adrienne D. Jones,  
Director of Community Development  
Subject: The Bills' No. 2, L.L.C.  
Pre-Zoning Recommendation  
Date: June 26, 2015

## MEMORANDUM

**PRESENT ZONING:** RSF-1, Single Family Residential District, Baldwin County District 15

**PROPOSED PRE-ZONING:** PUD, Planned Unit Development, City of Daphne

**LOCATION:** Southwest corner of the intersection of Champions Way and Alabama Highway 181

**RECOMMENDATION:** At the Thursday, June 25, 2015, regular meeting of the Daphne Planning Commission, seven members were present and the motion to set forth a favorable recommendation was made and carried unanimously.

Attached please find documentation from the Office of Community Development.

Thank you,  
ADJ/jv

cc: file

attachment(s)

1. Zoning Application
2. Map of Property
3. Adjacent property owners' list
4. Community Development Report
5. Citizen comments

PLANNING COMMISSION  
PRE-ZONING FOR  
THE BILLS' NO. 2, LLC

*City of Daphne Industrial Development Board*



## **COMMUNITY DEVELOPMENT**

### **Pre-zoning Request**

**Southwest Corner of the Intersection of Champions Way and Highway 181  
(The Bills' No. 2, LLC & City of Daphne Industrial Development Board)  
76 acres+/-**

**Owner: The Bills' No. 2, LLC**

**Existing Conditions:** 76 acres+/- of undeveloped land

**Existing Zoning:** RSF-1 Single Family District in Baldwin County District 15

**Proposed Zoning:** Planned Unit Development (PUD)

#### **Surrounding Zonings/Uses:**

**North** - Canterbury Place Subdivision, zoned R-4 and R-3, High Density Single Family Residential, and RSF-1 Single Family District in Baldwin County District 15 (ETJ)

**South** - undeveloped land zoned RSF-1 Single Family District in Baldwin County District 15 (ETJ)

**East** - The Woodlands at Malbis residential subdivision, zoned RSF-2, Single Family Residential Baldwin County District 15 (ETJ)

**West** - Daphne High School (zoned R-3, High Density Single Family Residential)

#### **Existing Utility Service Providers:**

Water – Belforest Water

Sewer – Daphne Utilities

Gas – Daphne Utilities

Electric – Riviera Utilities

#### **Affected City Service Providers:**

Fire Protection-Station 3

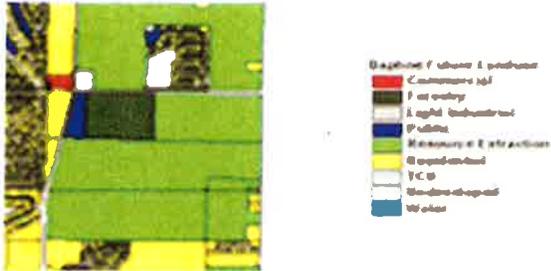
Police Protection-Police Beat 3

Public Works

Baldwin County Schools—n/a

**FROM THE 2000-2020 COMPREHENSIVE PLAN (adopted on June 26, 2003):  
Comprehensive Plan**

The Comprehensive Plan designates this area as resource extraction. Comprehensive Plan amendment is long overdue.



**Related applications on June 2015 Planning Commission Agenda: 76 acres+/-  
Annexation Request by The Bills' No. 2, LLC.**



# REZONING OR PRE-ZONING APPLICATION

Office use only

Date Submitted 05/26/15

Application Number:

Planning Commission Public

ZA-                      or                      PZA-15-03

Hearing Date: 06/25/15

*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):  
**Southwest corner of the intersection of Champions Way and Highway 181**

PPIN#(s): **062439**

Gross Site Area (acreage): **76 ac (per BC Rev. Comm.)**

Requested Zoning or Pre-Zoning: **PUD**

Current Zoning Designation(s):  
**Baldwin County District 15, RSF-1 Single Family District**

Amended Request:

Initials:                      Date:

Current Land Use:  
**Undeveloped**

Anticipated Land Use: **Mixed Use-Office, Retail, Residential, Light Industrial, etc.**

Provide Legal Description (if necessary attach separate page entitled "Legal Description for [Name of Applicant]":  
**Per deed-N 1/2 of SE 1/4 of Sec 3, T5S, R2E & W 1/2 of NW 1/4 of SW 1/4 of Sec 2, T5S, R2E, Baldwin County, Alabama**

Specify other recently approved or pending requests related to the subject property. Circle the answer(s).  
Annexation   Subdivision   Site Plan   Special Exception   Variance   Specify Other

## APPLICANT & AGENT INFORMATION

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

Name of Current Owner: **The Bills' No. 2, LLC**  
Manager: **Michael Bill**

Mailing Address: **P.O. Box 1659 Robertsdale, AL 36567**

Phone/Fax:  
E-mail:

Name of Authorized Agent: **City of Daphne Industrial Development Board Member or Rep. of the City of Daphne**

Mailing Address: **PO Box 400**

Phone/Fax:  
E-mail:

Name of Developer\*: **City of Daphne Industrial Development Board**

Phone/Fax:  
E-mail:

Other:

Phone/Fax:  
E-mail:

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

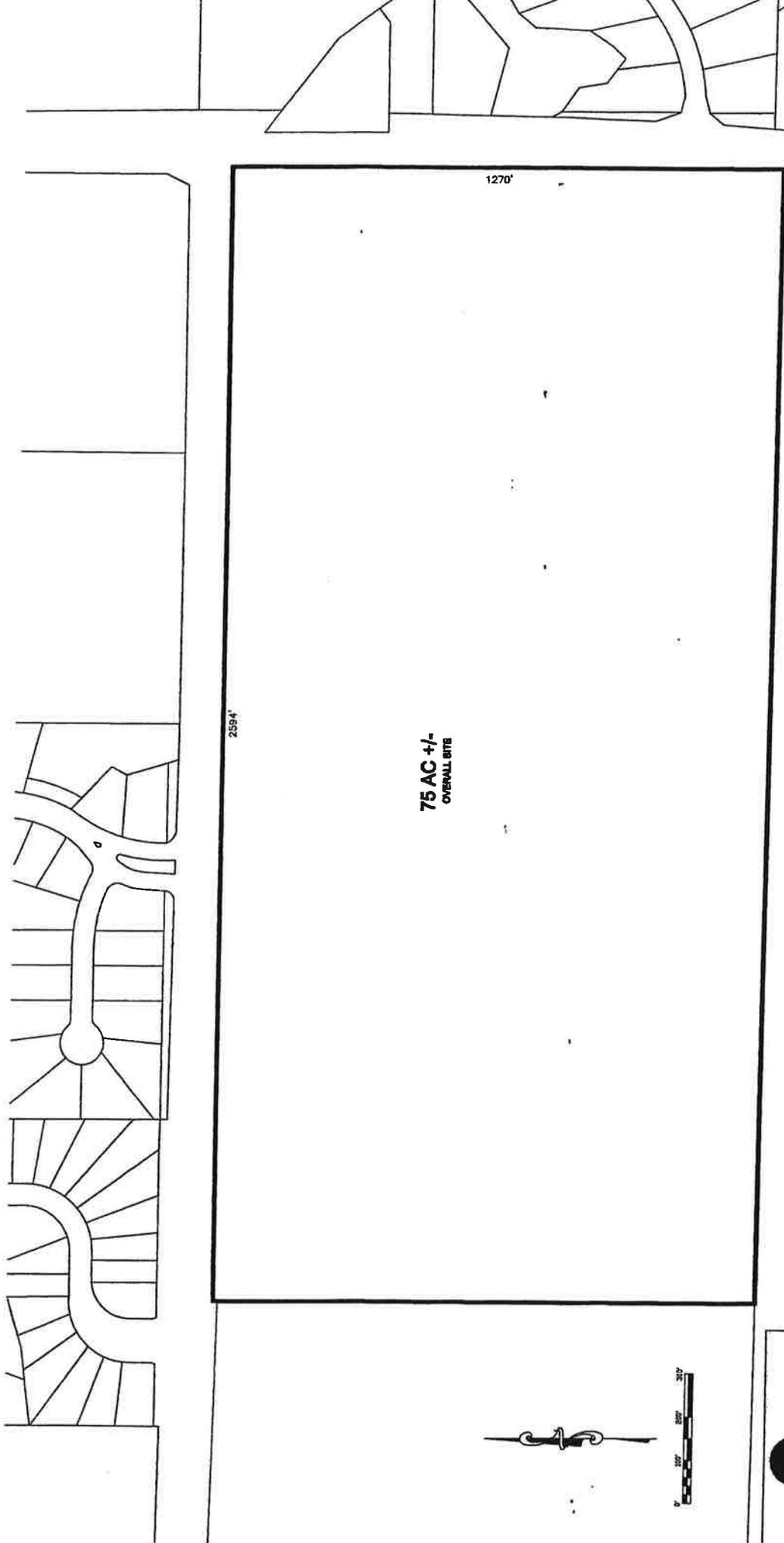
Applicant's Signature: <b>Joni Fassbender</b>	Date: <b>6-5-15</b>
<b>CHAIRMAN OF IDB</b>	Date: _____
Agent's Signature: _____	Date: _____

**EXHIBIT A**

**THE BILLS' NO. 2, LLC PRE-ZONING & ANNEXATION PETITIONS**

PER INSTRUMENT #639914 OF BALDWIN COUNTY PROBATE RECORDS:

THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA, AND THE WEST HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY ALABAMA.



# COMMERCIAL & TECHNOLOGY COMPLEX

**Daphne**  
ALABAMA  
*The Jubilee City*  
111

75 AC +/-  
OVERALL SITE

2594'

1270'



DANE HAYGOOD  
MAYOR



ADRIENNE D. JONES  
COMMUNITY DEVELOPMENT  
DIRECTOR/ZONING ADMINISTRATOR

CITY COUNCIL  
TOMMIE CONAWAY  
DISTRICT 1  
PAT RUDICELL  
DISTRICT 2  
JOHN L. LAKE  
DISTRICT 3  
RANDY FRY  
DISTRICT 4  
RON SCOTT  
DISTRICT 5  
ROBIN LEJEUNE  
DISTRICT 6  
JOE DAVIS, III  
DISTRICT 7

June 11, 2015

## NOTICE OF PUBLIC HEARING

A petition for PRE-ZONING will be considered by the Daphne Planning Commission for The Bills' No. 2, L.L.C. containing 76 acres +/- located at the southwest corner of the intersection of Champions Way and Alabama Highway 181 to be rezoned from RSF-1, Single Family Residential, Baldwin County District 15, to a PUD, Planned Unit Development, zone, upon annexation into the corporate limits of the City of Daphne.

Said petition will also be considered by the Daphne City Council pursuant to Alabama Code 11-52-85. The application is available for review at City Hall in the Department of Community Development, 1705 Main Street, during regular business hours. An informal site preview meeting will be held on Wednesday, June 17, 2015 at 8:30 a.m. in the Council Chambers of City Hall. The public is invited to attend: limited participation may be allowed by the chairman.

The public hearing will be held by the Daphne Planning Commission on Thursday, June 25, 2015 at 5:00 p.m. in the Council Chambers of City Hall. You may submit your views in writing, in person, by fax or by representation.

Sincerely,  
Adrienne D. Jones  
Director of Community Development

The Bills' No. 2, L.L.C. Pre-Zoning Amendment

The Bills' No. 2, LLC  
Pre-Zoning Request

BALDWIN COUNTY BOARD OF  
EDUCATION  
2600 HAND AVE N  
BAY MINETTE, AL 36507

GAVIN, MARY ALICE  
11876 JERICHO DR  
DAPHNE, AL 36526

THE BILLS' NO.2 L L C  
P O BOX 1659  
ROBERTSDALE, AL 36567

ROLISON, KEN ETAL ROLISON,  
JENNIFER COME  
28601 ST HWY 181  
DAPHNE, AL 36526

CANTERBURY PLACE  
HOMEOWNERS ASSOCIATION  
P O BOX 748  
DAPHNE, AL 36526

MALBIS PLANTATION INC  
29470 ST HWY 181  
DAPHNE, AL 36526

SAUCIER, K SCOTT  
2720 CHURCHBELL DRIVE  
MOBILE, AL 36695

NEYHART, CHRISTOPHER T  
11876 JERICHO DR  
DAPHNE, AL 36526

COMETTI FAMILY PROPERTIES  
L L C  
P O BOX 156  
GRANT, AL 35747

WOODLANDS AT MALBIS  
PROPERTY OWNERS ASSO  
C/O KEN SCHULTZ  
10311 ROSEWOOD LN  
DAPHNE, AL 36526

M & S DEVELOPMENT L L C  
10155 ROSEWOOD LANE  
DAPHNE, AL 36526

MCCOLLUM, ERNEST R ETAL  
MCCOLLUM, CHRIST  
9576 CANTERBURY CT  
DAPHNE, AL 36526

MARX, DAVID JAMES ETAL  
MARX, CATHIE LA R  
201 BRADBURY CIR S  
DAPHNE, AL 36526

TURNEY, MATTHEW A ETAL  
JONES, BROOKE L  
29251 CANTERBURY RD  
DAPHNE, AL 36526

CRUTCHFIELD HOLDINGS L L C  
10155 ROSEWOOD LANE  
DAPHNE, AL 36526

BINET, LYNN O  
29283 CANTERBURY RD  
DAPHNE, AL 36526

WEIS, GEORGE F ETAL WEIS,  
GWEN F  
29259 CANTERBURY RD  
DAPHNE, AL 36526

**Richard A. Keller, III**  
27795 Oakachoy Loop  
Daphne, Alabama 36526-6361

**rakeller3@mediacombb.net**

**(251) 288-3840**

June 21, 2015

Adrienne D. Jones  
Director/Zoning Administrator  
Community Development  
1705 Main Street  
P.O. Box 400  
Daphne, AL 36526

**Subject: The Bills' No.2, LLC Pre-Zoning & Annexation Petitions**

Dear Ms. Jones,

Regarding the petition for rezoning property identified as The Bills' No. 2, L.L.C. I would like to comment on two items.

First, in the description of the DISC property; "...to the south, undeveloped land zoned RSF-1 Single Family District in Baldwin District 15 (ETJ)...", it should be noted that there exists a Baldwin County Rezoning Application Case No. Z-15013 to rezone 28 acres from RSF-1 to B-2. This indicates a change in the character of the community abutting Highway 181 and south of Champions Way, from single family residences to commercial development.

Would B-2 zoning adjacent to The Bills' No. 2 L.L.C. parcel detract from the PUD zone? This rezoning application covers a 28 acres portion of a 137 acre parcel that extends in total from Highway 181 west to County Road 13. What will be the future zoning of the remaining RSF-1 109 acres of Malbis Plantation property? Will this compromise the residential nature of the existing communities along County Road 13?

Second, while the rezoning proposal for The Bills' No. 2, L.L.C. shows an Innovation and Science Complex on 30 of the 75 acres, in section II. PERMITTED USES, item b, leaves open the opportunity to develop "single family and/or multi-family residential dwelling units" on the remaining 45 acres. Section VII. DESIGN STANDARDS, item a, in the proposal allows R-7(M), R-3, R-6(G) or R-7 development.

Is this an accommodation for the HUD Affirmatively Furthering Fair Housing program?

Please discuss these topics at the public hearing of the Daphne Planning Commission held on Thursday, June 25, 2015 at 5:00 p.m. in the Council Chambers of City Hall.

Best regards,

  
Richard A. Keller, III



<b>OFFICE DEVELOPMENT</b>	
PHASE 1 FIVE STORY OFFICE	75,000 SF
PHASE 2 2 FIVE STORY OFFICES	176,000 SF
PHASE 3 OPTION A 3 FOUR STORY OFFICES	210,000 SF
<b>TOTAL GROSS BUILDING AREA</b>	<b>461,000 SF</b>



**DAPHNE INNOVATION & SCIENCE COMPLEX**  
**PRELIMINARY MASTER PLANNING STUDY**  
 JANUARY 2, 2015



## SUMMARY

### **DAPHNE INNOVATION+SCIENCE COMPLEX PLANNED UNIT DEVELOPMENT**

The subject property is located at the southwest corner of Champions Way and State Highway 181, 1.8 miles south of Interstate 10. The proposed Daphne Innovation+Science Complex property is bounded to the west by Daphne High School, to the east by State Highway 181, and to the north by Champions Way and to the south by land owned by Malbis Plantation, Incorporated in Baldwin County, Alabama.

The land is located in District 15 of Baldwin County and zoned RSF-1, Single Family District. The current proposal is to pre-zone the property to PUD, Planned Unit Development, and to annex the land into the City of Daphne.

The property is currently owned by The Bills' No. 2. LLC. The Daphne Industrial Development Board is under contract for land acquisition.



The subject property is 75 acres. PUD entitlements will be distributed among phases. The first phase of DISC consists of 30 acres.

The DISC PUD property abuts: to the north, Canterbury Place Subdivision, zoned R-4 and R-3, High Density Single Family Residential, and RSF-1 Single Family District in Baldwin County District 15 (ETJ); to the south, undeveloped land zoned RSF-1 Single Family District in Baldwin County District 15 (ETJ), to the east, The Woodlands at Malbis residential subdivision; to the west, Daphne High School (zoned R-3, High Density Single Family Residential).

**I. INTENT**

**The intent of the Daphne Innovation + Science Complex PUD is:**

- a. to promote the efficient use of land and facilitate a more economic arrangement of uses, buildings, traffic circulation systems and utilities;
- b. to encourage the combination and coordination of uses, building forms, building relationships and architectural styles in the PUD design;
- c. to promote the preservation and enhancement of existing natural landscape features, their scenic qualities and amenities to the greatest extent possible and utilize such features in a harmonious fashion;
- d. to provide flexibility to conventional zoning regulations, upon City Council approval of alternate standards. Such standards may include minimum setbacks, minimum yard size, minimum greenbelts, minimum off-street parking regulations and other regulations to achieve the intent described herein; and,
- e. to provide the developer reasonable assurance of approval before commencing final engineering work while providing City officials with reasonable assurance that the development will retain the character envisioned at the time of approval.

**II. PERMITTED USES**

**The principal permitted uses to be allowed in the DISC PUD district are as follows:**

- a. Office.
- b. Educational and academic uses.
- c. Research and development in the fields of electronics, communications, medicine, data processing and computer technology, environmental control, measuring devices, scientific instrumentation and advanced engineering research shall be allowed. However, such uses shall not include the manufacture or assembly of products derived from the research and development process. Corporate and regional headquarters and executive offices or uses shall be permitted. Food service may also be permitted within the office buildings when ancillary to office use (e.g. restaurant, deli, employee cafeteria).
- d. Light manufacturing, assembly, or other clean or advanced manufacturing uses upon approval of the Planning Commission with right to appeal to the City Council. These uses should have limited impact on the surrounding areas. Specific uses in the field of technology, medical, and pharmaceutical are consistent with the intended character of the development.
- e. Commercial, retail, general office, institutional, medical, academic/educational, and/or light industrial, except such light industrial uses which may be found unsuitable and inharmonious with other uses in the PUD or surrounding areas.

- f. Restaurants (coffee and baked goods shops, delicatessens and similar sandwich shops, and ice cream and yogurt shops).
- g. Retail and service stores designed primarily to provide convenience goods and services to on-site office workers (personal service establishments; dry cleaning stores; tailors and shoe repair shops; financial institutions; card and gift shops; and stores offering convenience items or convenience foods in a prepackaged form).
- h. Child care centers.
- i. Adult day care centers.
- j. Patio/ al fresco dining facilities.
- k. Single family and/or multi-family residential dwelling units.
- l. Public or private parks, open space and/or specialized recreation centers.
- l.m. Uses not described above shall be governed by the Table of Permitted Use in Appendix A.

### **III. PROHIBITED USES**

Uses which are not expressly permitted in the above section and which may be found unsuitable and inharmonious with other uses in the PUD or surrounding areas.

### **IV. PURPOSES & INTENTS**

Consistency in all respects with the purposes and intents of the Land Use & Development Ordinance Article 30, PUD Provisions.

- a. Goals of the Comprehensive Plan or portion thereof that apply to the proposed DISC PUD are as follows:
  - 1. Continue to encourage the diversification of the local economy.
  - 2. Provide for the future social and economic growth of Daphne by expanding residential and employment opportunities for all residents and to attract industries by offering the skilled labor force and business environment necessary for continued expansion.
  - 3. Provide a land use plan for the City of Daphne, which supports the City's economic development, housing, transportation, and open space, recreation and education goals in a manner that maintains and promotes Daphne's unique image and quality of life.
  - 4. Grow sensibly by anticipating land use needs.

- b. The DISC PUD advances the general welfare of and benefit the City as follows:
  - 1. Encourages diversification in the area's industry employment sectors and job growth.
  - 2. Creates a location to attract technology-related industry to establish corporate headquarters and to develop high-wage jobs.
  - 3. To help create a stronger, more resilient tax base for the City through job growth, ad-valorem tax creation and economic diversification.
  - 4. Provides an opportunity to stimulate small business development and entrepreneurship in Baldwin County.
- c. The DISC PUD will provide a sense of place for corporate, high-tech, and professional firms to locate and transact business in a campus environment. The project will create an attractive environment to enable the City of Daphne to be competitive on a local, regional and national level to attract quality jobs that complement the quality of life on the Eastern Shore. The site may also include amenities for public use such as green spaces, pedestrian connectivity via multi-purpose trails for walking and cycling.

## **V. LIMITATIONS ON DEVELOPMENT**

The focus of the DISC PUD is to create an institutional-type technology and office park which would consist of office, medical, technology, academic/educational, advanced manufacturing, clean light industrial uses, and may evolve to include mixed uses such as clustered single and multi-family residential uses such as townhouses and/or condominiums and retail commercial, while maintaining at least ten percent (10%) open space of the total property.

Development of office space for the project shall not exceed an aggregate of twenty-thousand square feet (20,000 sq. ft.) per acre for the entire development. Office space can be converted to other uses. Non-office use may result in development trade-offs within the PUD using a one-to-one conversion method to maintain flexibility in design and development. Such flexibility allows market conditions to determine appropriate growth over time.

## **VI. SIGNAGE**

Within the DISC PUD property, a sign may be erected, placed, established, painted, created or maintained in conformance with the theme, branding and standards of the district. Color, location, size shall be consistent with a theme as determined by the developer. The Daphne Sign Regulations for B-2, General Business district, shall apply to all other signage not listed herein.

a) Corporate Building Signage

1. Definition: An identification sign giving the name, logo, trademark or other identifying symbol of the primary tenant on the premises. Addresses or directories shall not be included in the category of corporate building signage.
2. Standards:
  - i. Each multi-story building less than thirty thousand (30,000) square feet of building area in the DISC PUD district may acquire a permit for a wall mounted sign for each side of the building, each sign not to exceed eight percent (8%) of the face of the side of the building on which it is to be placed.
  - ii. Each multi-story building thirty thousand (30,000) square feet of building area or more in the DISC PUD district may acquire a permit for a wall mounted sign for each side of the building, each sign not to exceed four percent (4%) of the face of the side of the building on which it is to be placed.

b) Building Identification Signage

1. Definition: Signage providing building identification in the form of a building number, street number or street address, used to assist the public in locating a building within a particular development.
2. Letters, unit numbers and/or address identification prominently displayed to identify each building within the DISC PUD.
3. Signage shall maintain consistency with regard to theme and branding of other signage in the development.

c) DISC Informational Signage

1. Definition: Monument directional signage to provide visitors with information to navigate within the DISC. For example: left turn, right turn, exit, etc.
2. Standards:

- i. Informational signs shall only be located within the interior of the development, provide a common branding/theme and will provide information including directions, etc.
- ii. Directional signs within the development will be monument signs that are appropriately designed, located and landscaped.

d) Building Directory Signage

1. Definition: A directory sign provides a listing of the tenants or occupants of a building and that may also indicate their respective activities conducted within a building to ensure the public they are at the right building prior to entering the building.
2. Standards:
  - i. May be located at or near entrances or on buildings or may be freestanding signs in an appropriate size and location.

e) Exterior Roadway Signage

1. Definition: a sign located upon the exterior roads of the DISC development.
2. Standards:
  - i. These signs may be located along the exterior of the development.
  - ii. Tenants or DISC Developers may have signage along exterior roadways.
  - iii. The Daphne Sign Regulations for B-2, General Business district, shall apply to other signage along the frontage on Champions Way or Highway 181.

**VII. DESIGN STANDARDS**

- a) Density for residential uses shall be in accordance with the R-7(M), Mid Rise Condominium district, for multi-family uses and R-3, High Density Single Family Residential, R-6(G), Garden/Patio Home district or R-7(T), Townhouse district zoning for single family uses depending upon the character of the development.
- b) Building height shall not exceed one hundred-ten feet (110-ft) or seven (7) stories.
- c) Building setbacks shall be a minimum of forty feet (40-ft) from the perimeter of the DISC PUD property.
- d) All construction shall be in compliance with the City of Daphne's adopted version

of the International Building Code in place at the commencement of construction.

- e) All right-of-ways shall be designed to meet the minimum standards provided in accordance with design standards provided in the Land Use & Development Ordinance.
- f) Sidewalks shall be provided 5 feet in width along road rights of way in accordance with design standards provided in the Land Use & Development Ordinance.
- g) Landscaping shall be provided in accordance with design standards provided in the Land Use & Development Ordinance.
- h) Unless otherwise provided in this document, sign provisions shall be provided in accordance with applicable sign regulations for the City of Daphne.

## **VIII. GENERAL PROVISIONS**

- a) Any subdivision of the DISC PUD shall be done in accordance with the laws of State of Alabama.
- b) Site design for various phases of the PUD shall be such as to provide adequate parking and loading facilities in addition to space required to conduct other operations of the business. All infrastructure, including but not limited to drainage, streets, open space, etc. shall be provided.
- c) All buildings and/or structures shall observe the minimum separation as allowed by the Fire Code. Lots or building envelopes with a zero (0) side building line must face a minimum five (5) foot wide maintenance easement upon the neighboring lot or building envelope for maintenance purposes.
- d) Necessary measures and standard practices will be utilized to ensure that design adequately addresses environmental protection, preservation and enhancement relating to water quality, trees, buffer zones and greenbelt areas, critical environmental features, soils, air quality, waterways, topography, and the natural character of the land, as well as areas, structures or sites that are of architectural, historical, archaeological, or cultural significance.
- e) Landscape design will be superior to that which is typically required by the minimum landscaping provisions of the City.
- f) Open space between buildings will be designed as to provide adequate, safety and aesthetic value.
- g) The project design will be such that upon completion of each phase, all structures in that phase will be accessible to service and emergency vehicles.
- h) On-street parking may be permitted along easements or streets adequate in size and internal to the project, but not along external roadways that serve other uses unless deemed appropriate by the Planning Commission. Parking shall be based

upon the use of each primary structure. Minimum stall area shall be based upon the angle of parking in accordance with the Land Use & Development Ordinance.

- i) This is not considered to be a Large-scale PUD.

# Appendix A

## DISC PUD Appendix:

The following is a list of business and office uses permissible in the Daphne Innovation+Science Complex.

### ENTITLEMENTS WITHIN THE TABLE OF PERMITTED USES

*Uses Permissible by:*

*R-By Right*

*Pc-Planning Commission Approval*

*S-Special Exception*

Table of Permitted Uses & Conditions	DISC PUD
Antique store, including repairing, restoration and refinishing	R
Apparel and accessory store	R
Art gallery or museum	R
Art supplies	R
Auditoriums, stadiums, coliseums, and other such places of public assembly	R
Automobile parts sales, except used parts	Pc
Bakery, retail	R
Bank, including drive-in bank	R
Barber shop or beauty parlor	R
Book store	R
Business machines sales and service	R
Business school or college	Pc
Cafe, grill, lunch counter and restaurant but not including night club, bar, tavern and drive-in restaurant	R
Police station, fire station, courthouse, federal office building and similar public building	R
Clinic, dental, medical or psychiatric for humans	R
College or university, provided that they are located on a lot fronting on an arterial street or road and that no building is located within 100 feet of any property line	R
Communications Towers	S
Convenience store	Pc
Delicatessen	R
Department store	R
Drive-in restaurant	R
Drug Store	R
Dry cleaning shop, including self-service	R
Dry goods or fabric store	R
Electric supply store	R
Electric supply store, retail	R
Farmers' markets	Pc
Fix-it shop, including small appliance repair	R
Floral shop	R
Fruit and produce, retail	Pc
Gas regulator station	Pc
Gift shop	R
Grocery store, retail	Pc
Hardware store, retail, storage and sales	Pc
Hobby shop and supply store	R
Hospital, clinic, convalescent or nursing home, extended care facility or sanitarium for humans	Pc
Hotel	Pc

Table of Permitted Uses & Conditions	DISC PUD
Extended stay hotel facility	S
Ice cream parlor	R
Institution for children or the aged, day care	S
Interior decorating shop	R
Kindergarten, play school or day care center, public or private, provided that all activities are carried on in an enclosed building or fenced yard and that all applicable federal, state and local requirements are met.	S
Laboratory, scientific	S
Laboratory, medical or dental	R
Laundry, self-service	R
Laundry, and dry cleaning pick-up station	R
Laundry, linen supply or diaper service	R
Library	R
Loan office	R
Clothing and garment manufacturing-Pe	Pc
Food products processing and packaging-Pe	Pc
Laboratories for testing materials, chemical analysis, photographic processing.	Pe
Musical instruments and parts manufacturing	Pe
Surgical and dental supplies manufacturing	Pe
Toy, sporting goods and athletic goods manufacturing	Pe
Music store	R
News stand	R
Night club, bar, tavern and cocktail lounge when separate from a restaurant	Pc
Office buildings, general	R
Office buildings, professional	R
Optician	R
Paint and wallpaper store	R
Pet shop	Pc
Photographic studio and/or processing	R
Picture framing and/or mirror silvering	S
Police substation, including Highway Patrol	Pc
Post office	Pc
Printing, blueprinting, bookbinding, photostating, lithographing and publishing establishment.	R
Radio and television antenna (amateur)	R
Radio and television station and transmitting tower (commercial)	Pc
Racquetball or tennis courts	Pe
Shoe repair shop	R
Shoe store, retail	R

<u>Table of</u> Permitted Uses & Conditions	DISC PUD
Showroom, appliances or builder	R
Sign shop	Pc
Sporting goods store	R
<del>Tailor shop</del>	R
Telephone exchange	S
Telephone equipment storage including shops and garage; need not be enclosed within a structure but must provide adequate screening	R
Tires, batteries and other automotive accessories sales establishments	Pc
Tobacco store	R
Toy store	R
<del>Trade school or college</del>	S
Variety store	R
Warehouse and storage facilities, minor; mini-type do-it-yourself storage facilities	Pc
YMCA, YWCA and similar institutions	S
Amusement park	Pc
Amphitheater	Pc
Athletic field or stadium such as baseball, football, soccer, etc. or similar use, provided that no building for such purposes is located within 100 feet of any property line	Pc
Golf course, miniature	Pc
Other (outdoor) commercial amusement establishment	Pc
<del>Park or playground including recreation centers; need not be enclosed within a structure</del>	<del>Pc</del>
Roller-skating and ice-skating rink	Pc
<del>Swimming pool, commercial</del>	<del>Pc</del>
Theater, outdoor/drive-in; need not be enclosed within a structure	Pc

## REMOVING DUPLICATIONS/CONTRADICTIONS BETWEEN DOCUMENTS

---

The Planning Commission recommended approval of the DISC PUD and the Appendix which includes the Table of Permitted Uses for the DISC PUD property. After careful review of both documents, 33 Appendix items have been found duplicated in section 2, Permitted Uses, in the PUD Document. In order to remove conflicts and duplications between the two documents, these 33 items have been removed from the Appendix. Shown below are subcategories from the PUD Document along with the items removed from Appendix A.

---

**a. Office.**

1. Police station, fire station, courthouse, federal office building and similar public building
2. Office buildings, general
3. Office buildings, professional

**b. Educational and academic uses.**

1. College or university, provided that they are located on a lot fronting on an arterial street or road and that no building is located within 100 feet of any property line
2. Trade school or college

**c. Research and development in the fields of electronics, communications, medicine, data processing and computer technology, environmental control, measuring devices, scientific instrumentation and advanced engineering research shall be allowed. However, such uses shall not include the manufacture or assembly of products derived from the research and development process. Corporate and regional headquarters and executive offices or uses shall be permitted. Food service may also be permitted within the office buildings when ancillary to office use (e.g. restaurant, deli, employee cafeteria).**

1. Laboratory, scientific
2. Laboratory, medical or dental
3. Laboratories for testing materials, chemical analysis, photographic processing.

**d. Light manufacturing, assembly, or other clean or advanced manufacturing uses upon approval of the Planning Commission with right to appeal to the City Council. These uses should have limited impact on the surrounding areas. Specific uses in the field of technology, medical, and pharmaceutical are consistent with the intended character of the development.**

1. Musical instruments and parts manufacturing
2. Surgical and dental supplies manufacturing
3. Toy, sporting goods and athletic goods manufacturing

**e. Commercial, retail, general office, institutional, medical, academic/educational, and/or light industrial, except such light industrial uses which may be found unsuitable and inharmonious with other uses in the PUD or surrounding areas.**

1. Clinic, dental, medical or psychiatric for humans
2. Fruit and produce, retail

3. Hospital, clinic, convalescent or nursing home, extended care facility or sanitarium for humans
  4. Optician
- f. Restaurants (coffee and baked goods shops, delicatessens and similar sandwich shops, and ice cream and yogurt shops).**
1. Cafe, grill, lunch counter and restaurant but not including night club, bar, tavern and drive-in restaurant
  2. Delicatessen
  3. Drive-in restaurant
  4. Ice cream parlor
- g. Retail and service stores designed primarily to provide convenience goods and services to on-site office workers (personal service establishments; dry cleaning stores; tailors and shoe repair shops; financial institutions; card and gift shops; and stores offering convenience items or convenience foods in a prepackaged form).**
1. Bakery, retail
  2. Bank, including drive-in bank
  3. Barber shop or beauty parlor
  4. Book store
  5. Business school or college
  6. Dry cleaning shop, including self-service
  7. Gift shop
  8. Laundry, and dry cleaning pick-up station
  9. Shoe repair shop
- h. Child care centers.**
1. Kindergarten, play school or day care center, public or private, provided that all activities are carried on in an enclosed building or fenced yard and that all applicable federal, state and local requirements are met.
- i. Adult day care centers.**
1. Institution for children or the aged, day care
- j. Patio/ al fresco dining facilities.**
- k. Single family and/or multi-family residential dwelling units.**
- l. Public or private parks, open space and/or specialized recreation centers.**
1. Park or playground including recreation centers; need not be enclosed within a structure
  2. Swimming pool, commercial
  3. Racquetball or tennis courts
- m. Uses not described above shall be governed by the Table of Permitted Use in Appendix A.**

## SUMMARY

### **DAPHNE INNOVATION+SCIENCE COMPLEX PLANNED UNIT DEVELOPMENT**

The subject property is located at the southwest corner of Champions Way and State Highway 181, 1.8 miles south of Interstate 10. The proposed Daphne Innovation+Science Complex property is bounded to the west by Daphne High School, to the east by State Highway 181, and to the north by Champions Way and to the south by land owned by Malbis Plantation, Incorporated in Baldwin County, Alabama.

The land is located in District 15 of Baldwin County and zoned RSF-1, Single Family District. The current proposal is to pre-zone the property to PUD, Planned Unit Development, and to annex the land into the City of Daphne.

The property is currently owned by The Bills' No. 2. LLC. The Daphne Industrial Development Board is under contract for land acquisition.



The subject property is 75 acres. PUD entitlements will be distributed among phases. The first phase of DISC consists of 30 acres.

The DISC PUD property abuts: to the north, Canterbury Place Subdivision, zoned R-4 and R-3, High Density Single Family Residential, and RSF-1 Single Family District in Baldwin County District 15 (ETJ); to the south, undeveloped land zoned RSF-1 Single Family District in Baldwin County District 15 (ETJ), to the east, The Woodlands at Malbis residential subdivision; to the west, Daphne High School (zoned R-3, High Density Single Family Residential).

## ***Daphne Innovation + Science Complex Planned Unit Development***

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### **I. INTENT**

#### **The intent of the Daphne Innovation + Science Complex PUD is:**

- a. to promote the efficient use of land and facilitate a more economic arrangement of uses, buildings, traffic circulation systems and utilities;
- b. to encourage the combination and coordination of uses, building forms, building relationships and architectural styles in the PUD design;
- c. to promote the preservation and enhancement of existing natural landscape features, their scenic qualities and amenities to the greatest extent possible and utilize such features in a harmonious fashion;
- d. to provide flexibility to conventional zoning regulations, upon City Council approval of alternate standards. Such standards may include minimum setbacks, minimum yard size, minimum greenbelts, minimum off-street parking regulations and other regulations to achieve the intent described herein; and,
- e. to provide the developer reasonable assurance of approval before commencing final engineering work while providing City officials with reasonable assurance that the development will retain the character envisioned at the time of approval.

### **II. PERMITTED USES**

#### **The principal permitted uses to be allowed in the DISC PUD district are as follows:**

- a. Office.
- b. Educational and academic uses.
- c. Research and development in the fields of electronics, communications, medicine, data processing and computer technology, environmental control, measuring devices, scientific instrumentation and advanced engineering research shall be allowed. However, such uses shall not include the manufacture or assembly of products derived from the research and development process. Corporate and regional headquarters and executive offices or uses shall be permitted. Food service may also be permitted within the office buildings when ancillary to office use (e.g. restaurant, deli, employee cafeteria).
- d. Light manufacturing, assembly, or other clean or advanced manufacturing uses upon approval of the Planning Commission with right to appeal to the City Council. These uses should have limited impact on the surrounding areas. Specific uses in the field of technology, medical, and pharmaceutical are consistent with the intended character of the development.

- e. Commercial, retail, general office, institutional, medical, academic/educational, and/or light industrial, except such light industrial uses which may be found unsuitable and inharmonious with other uses in the PUD or surrounding areas.
- f. Restaurants (coffee and baked goods shops, delicatessens and similar sandwich shops, and ice cream and yogurt shops).
- g. Retail and service stores designed primarily to provide convenience goods and services to on-site office workers (personal service establishments; dry cleaning stores; tailors and shoe repair shops; financial institutions; card and gift shops; and stores offering convenience items or convenience foods in a prepackaged form).
- h. Child care centers.
- i. Adult day care centers.
- j. Patio/ al fresco dining facilities.
- k. Single family and/or multi-family residential dwelling units.
- l. Public or private parks, open space and/or specialized recreation centers.
- m. Uses not described above shall be governed by the Table of Permitted Use in Appendix A.

### **III. PROHIBITED USES**

Uses which are not expressly permitted in the above section and which may be found unsuitable and inharmonious with other uses in the PUD or surrounding areas.

### **IV. PURPOSES & INTENTS**

Consistency in all respects with the purposes and intents of the Land Use & Development Ordinance Article 30, PUD Provisions.

- a. Goals of the Comprehensive Plan or portion thereof that apply to the proposed DISC PUD are as follows:
  - 1. Continue to encourage the diversification of the local economy.
  - 2. Provide for the future social and economic growth of Daphne by expanding residential and employment opportunities for all residents and to attract industries by offering the skilled labor force and business environment necessary for continued expansion.

3. Provide a land use plan for the City of Daphne, which supports the City's economic development, housing, transportation, and open space, recreation and education goals in a manner that maintains and promotes Daphne's unique image and quality of life.
  4. Grow sensibly by anticipating land use needs.
- b. The DISC PUD advances the general welfare of and benefit the City as follows:
1. Encourages diversification in the area's industry employment sectors and job growth.
  2. Creates a location to attract technology-related industry to establish corporate headquarters and to develop high-wage jobs.
  3. To help create a stronger, more resilient tax base for the City through job growth, ad-valorem tax creation and economic diversification.
  4. Provides an opportunity to stimulate small business development and entrepreneurship in Baldwin County.
- c. The DISC PUD will provide a sense of place for corporate, high-tech, and professional firms to locate and transact business in a campus environment. The project will create an attractive environment to enable the City of Daphne to be competitive on a local, regional and national level to attract quality jobs that complement the quality of life on the Eastern Shore. The site may also include amenities for public use such as green spaces, pedestrian connectivity via multi-purpose trails for walking and cycling.

## **V. LIMITATIONS ON DEVELOPMENT**

The focus of the DISC PUD is to create an institutional-type technology and office park which would consist of office, medical, technology, academic/educational, advanced manufacturing, clean light industrial uses, and may evolve to include mixed uses such as clustered single and multi-family residential uses such as townhouses and/or condominiums and retail commercial, while maintaining at least ten percent (10%) open space of the total property.

Development of office space for the project shall not exceed an aggregate of twenty-thousand square feet (20,000 sq. ft.) per acre for the entire development. Office space can be converted to other uses. Non-office use may result in development trade-offs within the PUD using a one-to-one conversion method to maintain flexibility in design and development. Such flexibility allows market conditions to determine appropriate growth over time.

## **VI. SIGNAGE**

Within the DISC PUD property, a sign may be erected, placed, established, painted, created or maintained in conformance with the theme, branding and standards of the district. Color, location, size shall be consistent with a theme as determined by the developer. The Daphne Sign Regulations for B-2, General Business district, shall apply to all other signage not listed herein.

### **a) Corporate Building Signage**

1. Definition: An identification sign giving the name, logo, trademark or other identifying symbol of the primary tenant on the premises. Addresses or directories shall not be included in the category of corporate building signage.
  
2. Standards:
  - i. Each multi-story building less than thirty thousand (30,000) square feet of building area in the DISC PUD district may acquire a permit for a wall mounted sign for each side of the building, each sign not to exceed eight percent (8%) of the face of the side of the building on which it is to be placed.
  - ii. Each multi-story building thirty thousand (30,000) square feet of building area or more in the DISC PUD district may acquire a permit for a wall mounted sign for each side of the building, each sign not to exceed four percent (4%) of the face of the side of the building on which it is to be placed.

### **b) Building Identification Signage**

1. Definition: Signage providing building identification in the form of a building number, street number or street address, used to assist the public in locating a building within a particular development.
2. Letters, unit numbers and/or address identification prominently displayed to identify each building within the DISC PUD.
3. Signage shall maintain consistency with regard to theme and branding of other signage in the development.

c) DISC Informational Signage

1. Definition: Monument directional signage to provide visitors with information to navigate within the DISC. For example: left turn, right turn, exit, etc.
2. Standards:
  - i. Informational signs shall only be located within the interior of the development, provide a common branding/theme and will provide information including directions, etc.
  - ii. Directional signs within the development will be monument signs that are appropriately designed, located and landscaped.

d) Building Directory Signage

1. Definition: A directory sign provides a listing of the tenants or occupants of a building and that may also indicate their respective activities conducted within a building to ensure the public they are at the right building prior to entering the building.
2. Standards:
  - i. May be located at or near entrances or on buildings or may be freestanding signs in an appropriate size and location.

e) Exterior Roadway Signage

1. Definition: a sign located upon the exterior roads of the DISC development.
2. Standards:
  - i. These signs may be located along the exterior of the development.
  - ii. Tenants or DISC Developers may have signage along exterior roadways.
  - iii. The Daphne Sign Regulations for B-2, General Business district, shall apply to other signage along the frontage on Champions Way or Highway 181.

**VII. DESIGN STANDARDS**

- a) Density for residential uses shall be in accordance with the R-7(M), Mid Rise Condominium district, for multi-family uses and R-3, High Density Single Family Residential, R-6(G), Garden/Patio Home district or R-7(T), Townhouse district zoning for single family uses depending upon the character of the development.
- b) Building height shall not exceed one hundred-ten feet (110-ft) or seven (7) stories.
- c) Building setbacks shall be a minimum of forty feet (40-ft) from the perimeter of the DISC PUD property.
- d) All construction shall be in compliance with the City of Daphne's adopted version of the International Building Code in place at the commencement of construction.
- e) All right-of-ways shall be designed to meet the minimum standards provided in accordance with design standards provided in the Land Use & Development Ordinance.
- f) Sidewalks shall be provided 5 feet in width along road rights of way in accordance with design standards provided in the Land Use & Development Ordinance.
- g) Landscaping shall be provided in accordance with design standards provided in the Land Use & Development Ordinance.
- h) Unless otherwise provided in this document, sign provisions shall be provided in accordance with applicable sign regulations for the City of Daphne.

**VIII. GENERAL PROVISIONS**

- a) Any subdivision of the DISC PUD shall be done in accordance with the laws of State of Alabama.
- b) Site design for various phases of the PUD shall be such as to provide adequate parking and loading facilities in addition to space required to conduct other operations of the business. All infrastructure, including but not limited to drainage, streets, open space, etc. shall be provided.
- c) All buildings and/or structures shall observe the minimum separation as allowed by the Fire Code. Lots or building envelopes with a zero (0) side building line must face a minimum five (5) foot wide maintenance easement upon the neighboring lot or building envelope for maintenance purposes.
- d) Necessary measures and standard practices will be utilized to ensure that design

adequately addresses environmental protection, preservation and enhancement relating to water quality, trees, buffer zones and greenbelt areas, critical environmental features, soils, air quality, waterways, topography, and the natural character of the land, as well as areas, structures or sites that are of architectural, historical, archaeological, or cultural significance.

- e) Landscape design will be superior to that which is typically required by the minimum landscaping provisions of the City.
- f) Open space between buildings will be designed as to provide adequate, safety and aesthetic value.
- g) The project design will be such that upon completion of each phase, all structures in that phase will be accessible to service and emergency vehicles.
- h) On-street parking may be permitted along easements or streets adequate in size and internal to the project, but not along external roadways that serve other uses unless deemed appropriate by the Planning Commission. Parking shall be based upon the use of each primary structure. Minimum stall area shall be based upon the angle of parking in accordance with the Land Use & Development Ordinance.
- i) This is not considered to be a Large-scale PUD.

Antique store, including repairing, restoration and refinishing	R
Apparel and accessory store	R
Art gallery or museum	R
Art supplies	R
Auditoriums, stadiums, coliseums, and other such places of public assembly	R
Automobile parts sales, except used parts	Pc
Business machines sales and service	R
Police station, fire station, courthouse, federal office building and similar public building	R
Communications Towers	S
Convenience store	Pc
Department store	R
Drug Store	R
Dry goods or fabric store	R
Electric supply store	R
Electric supply store, retail	R
Farmers' markets	Pc
Fix-it shop, including small appliance repair	R
Floral shop	R
Gas regulator station	Pc
Grocery store, retail	Pc
Hardware store, retail, storage and sales	Pc
Hobby shop and supply store	R
Hotel	Pc
Extended stay hotel facility	S
Interior decorating shop	R
Laundry, self-service	R
Laundry, linen supply or diaper service	R
Library	R
Loan office	R
Clothing and garment manufacturing	Pc
Food products processing and packaging	Pc
Music store	R
News stand	R
Night club, bar, tavern and cocktail lounge when separate from a restaurant	Pc
Paint and wallpaper store	R
Pet shop	Pc
Photographic studio and/or processing	R
Picture framing and/or mirror silvering	S

Appendix A: Table of Permitted Uses & Conditions	DISC PUD
Police substation, including Highway Patrol	Pc
Post office	Pc
Printing, blueprinting, bookbinding, photostating, lithographing and publishing establishment.	R
Radio and television antenna (amateur)	R
Radio and television station and transmitting tower (commercial)	Pc
Shoe store, retail	R
Showroom, appliances or builder	R
Sign shop	Pc
Sporting goods store	R
Telephone exchange	S
Telephone equipment storage including shops and garage; need not be enclosed within a structure but must provide adequate screening	R
Tires, batteries and other automotive accessories sales establishments	Pc
Tobacco store	R
Toy store	R
Variety store	R
Warehouse and storage facilities, minor; mini-type do-it-yourself storage facilities	Pc
YMCA, YWCA and similar institutions	S
Amusement park	Pc
Amphitheater	Pc
Athletic field or stadium such as baseball, football, soccer, etc. or similar use, provided that no building for such purposes is located within 100 feet of any property line	Pc
Golf course, miniature	Pc
Other (outdoor) commercial amusement establishment	Pc
Roller-skating and ice-skating rink	Pc
Theater, outdoor/drive-in; need not be enclosed within a structure	Pc

**CITY OF DAPHNE, ALABAMA  
ORDINANCE NO. 2015-**

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**Ordinance to Pre-Zone Property Located at the  
Southwest Corner of the Intersection of Champions Way and Alabama Highway 181  
The Bills' No. 2, LLC**

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**WHEREAS**, The Bills' No. 2, LLC as the owner of certain real property located within the unincorporated area of Baldwin County, Alabama, has requested that said property be pre-zoned from RSF-1, Single Family Residential District, Baldwin County District 15 to PUD, Planned Unit Development District, City of Daphne; and

**WHEREAS**, said real property is located at the southwest corner of the intersection of Champions Way and Alabama Highway 181, and more particularly described as follows:

**Legal Description for Pre-zone:**

PER INSTRUMENT #639914 OF BALDWIN COUNTY PROBATE RECORDS:  
THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 5  
SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA, AND THE WEST HALF OF  
THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2,  
TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY ALABAMA.

**WHEREAS**, at the regular Planning Commission meeting on June 25, 2015, the Commission considered said request and set forth a unanimous favorable recommendation; and,

**WHEREAS**, due notice of said proposed pre-zoning has been provided to the public as required by law through publication and open display at the Daphne Public Library and City Hall, a public hearing was held before the City Council on August 3, 2015; and,

**WHEREAS**, the City Council of the City of Daphne after due consideration and upon consideration of the notes of the Planning Commission, deemed that said application for pre-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**

That above described real property is hereby pre-zoned from RSF-1, Single Family Residential District, Baldwin County District 15, to PUD, Planned Unit Development District, City of Daphne, and that the zoning ordinance and zoning map 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 AND EXPIRATION DATE.**

This Ordinance, and in particular the pre-zoning shall take effect after the date of its approval by the City Council of the City of Daphne and publication as required by law. Pursuant to Code of Alabama (1975) Section 11-52-85, the zoning of the property, shall become effective upon the date the territory is annexed into the corporate limits, if any portion of the territory is not annexed into the corporate limits within 180 days of the initiation of annexation proceedings as provided by law then this pre-zoning shall be null and void.

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS        day of        , 2015.**

\_\_\_\_\_  
**Dane Haygood,**  
**Mayor**

**ATTEST:**

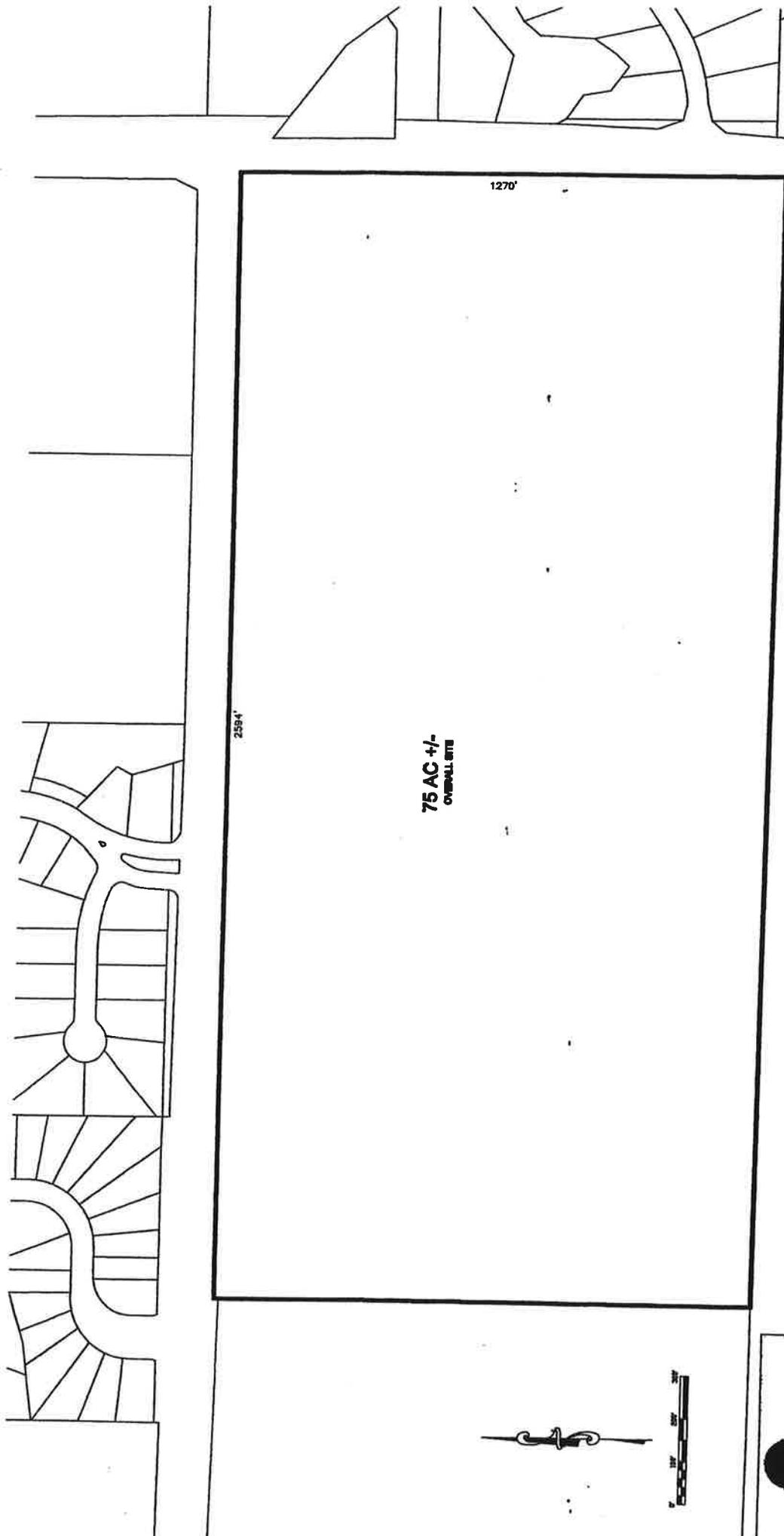
\_\_\_\_\_  
**Rebecca A. Hayes,**  
**City Clerk**

**EXHIBIT A**

**THE BILLS' NO. 2, LLC PRE-ZONING & ANNEXATION PETITIONS**

PER INSTRUMENT #639914 OF BALDWIN COUNTY PROBATE RECORDS:

THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA, AND THE WEST HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY ALABAMA.



# COMMERCIAL & TECHNOLOGY COMPLEX

**Daphne**  
ALABAMA  
*The Jubilee City*  
**143**

75 AC +/-  
OVERALL SITE

2594'

1270'



PLEASE Publish in the Bulletin Legal Section on Friday,  
July 10, 2015

FIRST NOTICE OF PUBLIC HEARING

Notice is hereby given the first time that the City Council of the City of Daphne will hold a Public Hearing on August 3, 2015 at 6:30 pm in the Council Chambers at City Hall, 1705 Main Street, Daphne, Alabama. The public is welcome to attend and offer comments opposing or favoring a proposed Ordinance pre-zoning certain property from RSF-1, Single Family District, Baldwin County District 15, to PUD, Planned Unit Development District, City of Daphne as presented below. Any person with an American's with Disabilities Act disability must contact the City Clerk's office ten days prior to the Public Hearing, in order for accommodations to be made.

Rebecca A. Hayes, City Clerk, MMC

**PROPOSED ORDINANCE:**

**CITY OF DAPHNE, ALABAMA  
ORDINANCE NO. 2015-**

**Ordinance to Pre-Zone Property Located at the  
Southwest Corner of the Intersection of Champions Way and Alabama Highway  
181  
The Bills' No. 2, LLC**

**WHEREAS,** The Bills' No. 2, LLC as the owner of certain real property located within the unincorporated area of Baldwin County, Alabama, has requested that said property be pre-zoned from RSF-1, Single Family Residential District, Baldwin County District 15 to PUD, Planned Unit Development District, City of Daphne; and

**WHEREAS,** said real property is located at the southwest corner of the intersection of Champions Way and Alabama Highway 181, and more particularly described as follows:

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SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA, AND THE WEST  
HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF

PLEASE Publish in the Bulletin Legal Section on Friday,  
July 17, 2015

SECOND NOTICE OF PUBLIC HEARING

Notice is hereby given the second time, the first notice was given July 10, 2015, that the City Council of the City of Daphne will hold a Public Hearing on August 3, 2015 at 6:30 pm in the Council Chambers at City Hall, 1705 Main Street, Daphne, Alabama. The public is welcome to attend and offer comments opposing or favoring a proposed Ordinance pre-zoning certain property from RSF-1, Single Family District, Baldwin County District 15, to PUD, Planned Unit Development District, City of Daphne, as presented below. Any person with an American's with Disabilities Act disability must contact the City Clerk's office ten days prior to the Public Hearing, in order for accommodations to be made.

Rebecca A. Hayes, City Clerk

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HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF  
SECTION 2, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY  
ALABAMA.

To: Office of the City Clerk  
From: Adrienne D. Jones,   
Director of Community Development  
Subject: The Bills' No. 2, L.L.C.  
Annexation Recommendation  
Date: June 26, 2015

## MEMORANDUM

**PRESENT ZONING:** RSF-1, Single Family Residential District, Baldwin County District 15

**PROPOSED PRE-ZONING:** PUD, Planned Unit Development, City of Daphne

**LOCATION:** Southwest corner of the intersection of Champions Way and Alabama Highway 181

**RECOMMENDATION:** At the Thursday, June 25, 2015, regular meeting of the Daphne Planning Commission, seven members were present and the motion to set forth a favorable recommendation was made and carried unanimously.

Attached please find documentation from the Office of Community Development.

Thank you,  
ADJ/jv

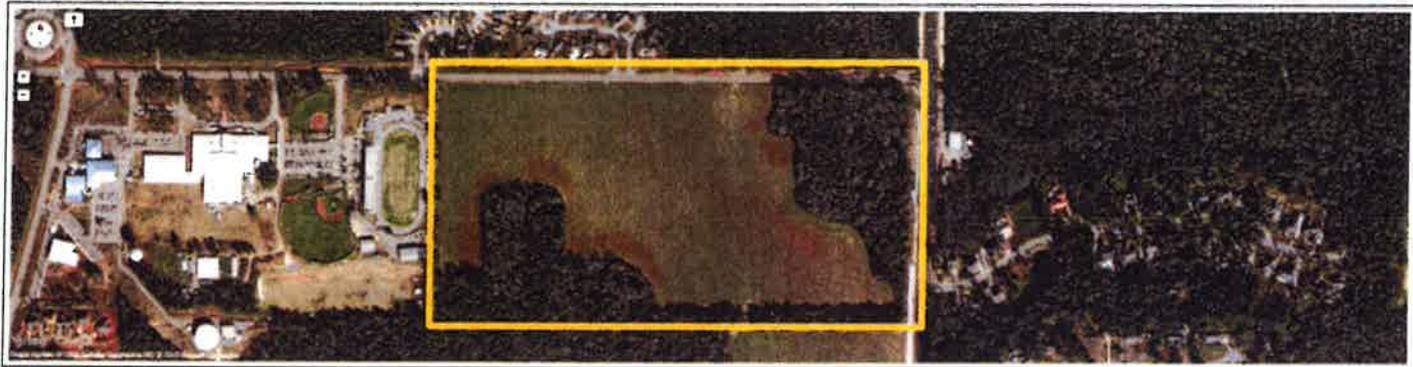
cc: file

attachment(s)

1. Petition for Annexation
2. Legal Description
3. Boundary Survey
4. Community Development Report

PLANNING COMMISSION  
ANNEXATION FOR  
THE BILLS' NO. 2, LLC

*City of Daphne Industrial Development Board*



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

**(THE BILLS' NO. 2, LLC PROPERTY AT THE SOUTHWEST INTERSECTION OF  
ALABAMA HIGHWAY 181 AND CHAMPIONS WAY)**

The undersigned corporation, THE BILLS' NO. 2, LLC, files this petition with the Clerk of the City of Daphne requesting the property hereafter described, commonly referred to as, THE BILLS' NO. 2 PROPERTY, to be annexed into the City of Daphne, a municipal corporation incorporated under the laws of the State of Alabama, and submits the following in support of the petition:

1. **Description of Property:** The description of the property which the petitioner requests to be annexed into the City of Daphne is described in **Exhibit "A"** attached hereto and made a part of this petition as fully set out herein (**the "Property"**).

2. **Map of Property:** Attached hereto as **Exhibit "B"** and made a part of this petition, is a map of the property showing its relationship to the corporate limits of the municipality of the City of Daphne.

3. **Owner:** The petitioner, THE BILLS' NO. 2, LLC, is the owner of the property hereby sought to be annexed into the corporate limits of the City of Daphne.

4. **Specific Conditions:** This petition is conditioned upon the adoption of an ordinance, which shall include specifically the conditions requested below upon annexing the said property into the corporate limits of the City of Daphne.

*Requested zoning, if other than R-1:*

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*Any other conditions which may apply upon annexation:*

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**PUD, PLANNED UNIT DEVELOPMENT ZONING**

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**ADDITIONAL INFORMATION**

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

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

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

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

SELECT ONE OF THE FOLLOWING OPTIONS

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

Or

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

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

IN WITNESS WHEREOF, we have hereunto subscribed our names this, the 10th day of June, 2015.

Legal Description Attached (Exhibit A)? yes Map or Survey Attached (Exhibit B)? yes  
Recorded Subdivision Plat OR Preliminary/Final Subdivision plat approved by Planning Commission Attached (Exhibit C)? no Acreage 7.6  
Subdivision Name n/a Lot Number(s) \_\_\_\_\_

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

Signature: [Signature] Signature: \_\_\_\_\_  
Printed Name: Michael C. Bill Printed Name: \_\_\_\_\_  
Mailing Address: Po Box 1659 Mailing Address: \_\_\_\_\_  
Robertsdale, AL 36527-1659

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

DATED this 10<sup>th</sup> day of June, 2015

Respectfully submitted,

The Bills' No. 2, LLC  
Name of Corporation

By: Michael C. Bill

Its: Manager

STATE OF ALABAMA  
COUNTY OF BALDWIN

I, Donna Donald, the undersigned Notary Public in and for said county and state, hereby certify that Michael C. Bill whose name as Manager of The Bills' No. 2, LLC, an Alabama corporation, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day, that, being informed of the contents of the instrument, he/she as such officer and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 10<sup>th</sup> day of June, 2015.

Donna Donald  
NOTARY PUBLIC

My commission expires: February 24, 2018

Corporation's Address

PO BOX 1659

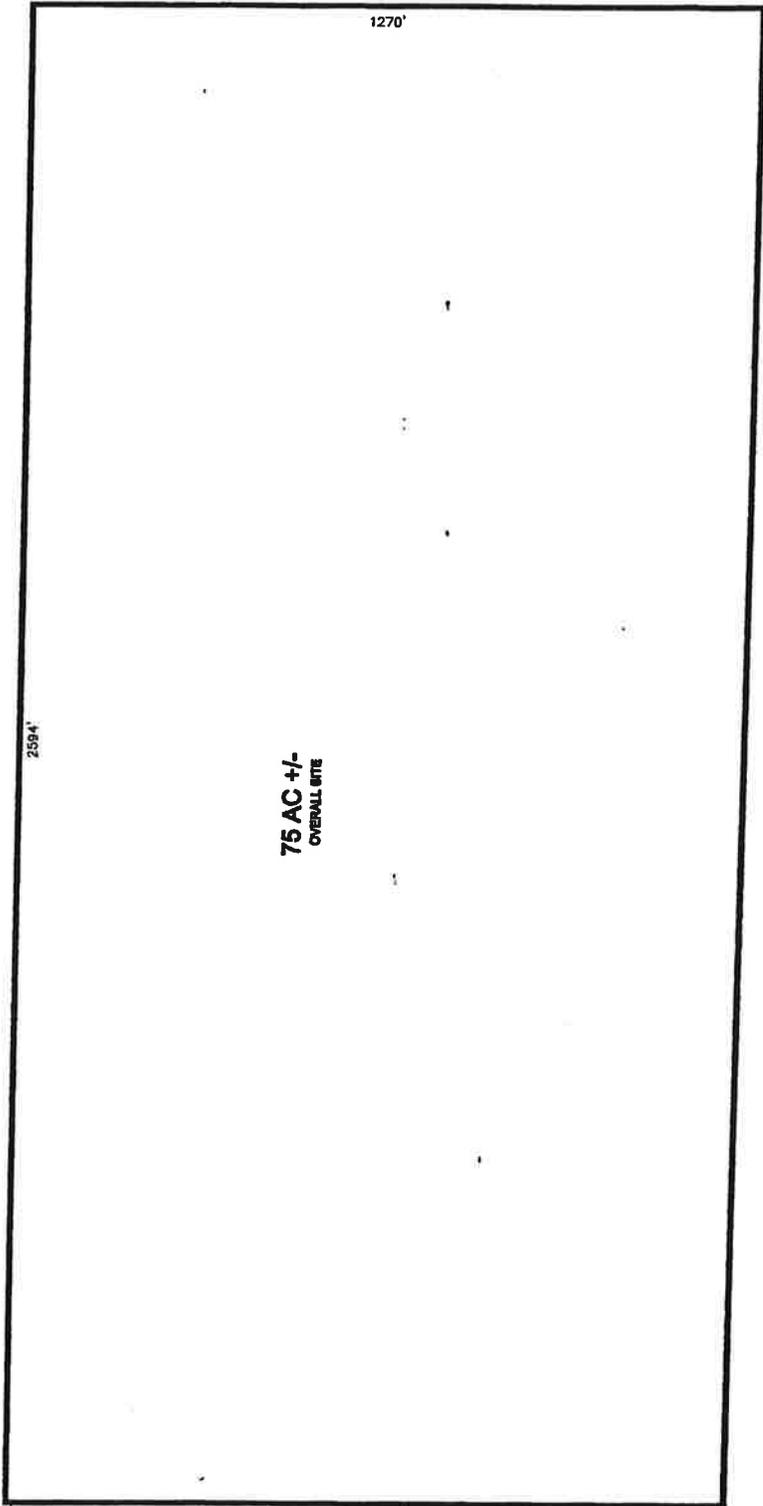
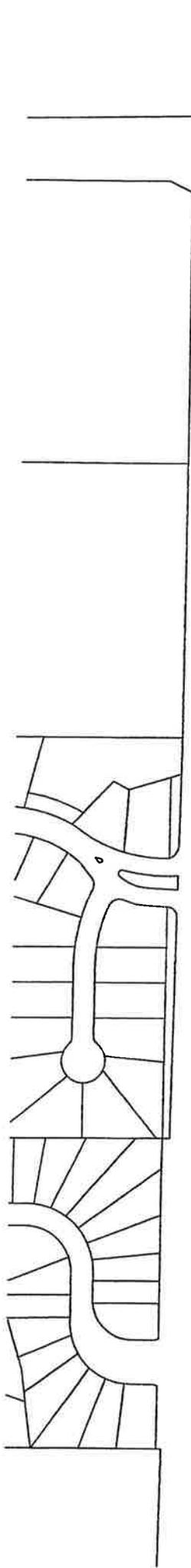
ROBERTSDALE, AL 36527-1659

**EXHIBIT A**

**THE BILLS' NO. 2, LLC PRE-ZONING & ANNEXATION PETITIONS**

PER INSTRUMENT #639914 OF BALDWIN COUNTY PROBATE RECORDS:

THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA, AND THE WEST HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY ALABAMA.



75 AC +/-  
OVERALL SITE



# COMMERCIAL & TECHNOLOGY COMPLEX



EXHIBIT B

**COMMUNITY DEVELOPMENT  
ANNEXATION REQUEST**

**Southwest Corner of the Intersection of Champions Way and Highway 181  
(The Bills' No. 2, LLC & City of Daphne Industrial Development Board)  
76 acres+/-**

**EXCERPT FROM ARTICLE 23-1 PROCEDURE [FOR ANNEXATION REQUESTS]**

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

**23-2 PROCEDURE FOR ZONING NEWLY ANNEXED LAND**

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

---

**REQUEST**

The applicant has submitted a petition to annex 76 acres of land into the corporate limits of Daphne. Additionally, the applicant has requested to pre-zone (see Code 11-52-85 attached) the site to Planned Unit Development District.

**RECOMMENDATION**

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

# Code of Alabama Section 11-52-85

## **PRE-ZONING TERRITORY PROPOSED FOR ANNEXATION**

Section 11-52-85 of the Code of Alabama allows “pre-zoning of property.” In this case, both requests have been submitted concurrently and are moving on the same path. The Planning Commission will make a recommendation to Council for zoning and also make a recommendation for annexation.

### Code of Alabama Section 11-52-85

**Pre-zoning of territory proposed for annexation by municipality. (*Highlights by staff*)**

(a) A municipality which exercises its authority to zone territory within its corporate limits may pre-zone territory proposed for annexation into the corporate limits of the municipality prior to the effective date of the annexation by complying with this article. If all the requirements, including all notice and public hearing requirements, of this article are met, **the zoning shall become effective upon the date the territory is annexed into the corporate limits, or upon the date the zoning process is completed, whichever is later.**

(b) A municipality which exercises its authority to zone territory within its corporate limits shall pre-zone territory as provided in subsection (a) and issue a statement of zoning classification to an affected property owner if the individual property owner residing in the area to be annexed requests in writing that a zoning determination be made pursuant to this section prior to being annexed.

(c) Any pre-zoning established by a municipality pursuant to this section for territory proposed for annexation shall be null and void as to any portion of the territory that is not annexed into the corporate limits within 180 days of the initiation of annexation proceedings as provided by law.

(d) Nothing contained in this section shall allow a municipality to zone territory outside the corporate limits of the municipality that is not in the process of being annexed into the corporate limits of a municipality as provided by law.

(e) Section 6-5-127 shall be applicable to any property pre-zoned pursuant to this section.

*(Act 2009-629, p. 1926, §1.)*

**CITY OF DAPHNE, ALABAMA  
ORDINANCE 2015-**

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

**Property Located at the Southwest Corner of the Intersection of Champions Way and  
Alabama Highway 181  
The Bills' No. 2, LLC**

**WHEREAS**, on the 10<sup>th</sup> day of June, 2015, being the owner of all real property hereinafter described, did file with the City Clerk a petition asking that the said tracts or parcels of land be annexed into and become part of the City of Daphne, Alabama; and

**WHEREAS**, said petition did contain the signatures of all owners of the described territory, and a map of said property showing its relationship to the corporate limits of the City of Daphne, Alabama; and

**WHEREAS**, after proper publication, a public hearing was held by the City Council on August 3, 2015 concerning the petition for annexation; and

**WHEREAS**, said petition has been presented to the Planning Commission of the City of Daphne at a regular scheduled meeting on June 25, 2015, and the Commission set forth a unanimous favorable recommendation for the City Council of the City of Daphne to consider said request for annexation and said property; and

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

**SECTION ONE: ANNEXATION**

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

**SECTION TWO: DESCRIPTION OF TERRITORY**

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

**Legal Description for Annexation:**

PER INSTRUMENT #639914 OF BALDWIN COUNTY PROBATE RECORDS:  
THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 3,  
TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA, AND  
THE WEST HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST  
QUARTER OF SECTION 2, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN  
COUNTY ALABAMA.

**SECTION THREE: MAP OF PROPERTY**

The property hereby annexed into the City of Daphne, Alabama is set forth and described in Exhibit "A" and attached hereto a map of the property (*Exhibit "B"*) showing its relationship to the corporate limits of the municipality of the City of Daphne and made a part of this ordinance.

**SECTION FOUR: PUBLICATION**

This Ordinance shall be published as required by Section 11-42-21 Code of Alabama 1975, as amended, and the property described herein shall be annexed into the corporate limits of the City of Daphne, and a certified copy of the same shall be filed with the Office of the Judge of Probate of Baldwin County, Alabama as required by Section 11-42-21, Code of Alabama 1975, as amended.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.**

\_\_\_\_\_  
**Dane Haygood,**  
**Mayor**

**ATTEST:**

\_\_\_\_\_  
**Rebecca A. Hayes,**  
**City Clerk**

**EXHIBIT A**

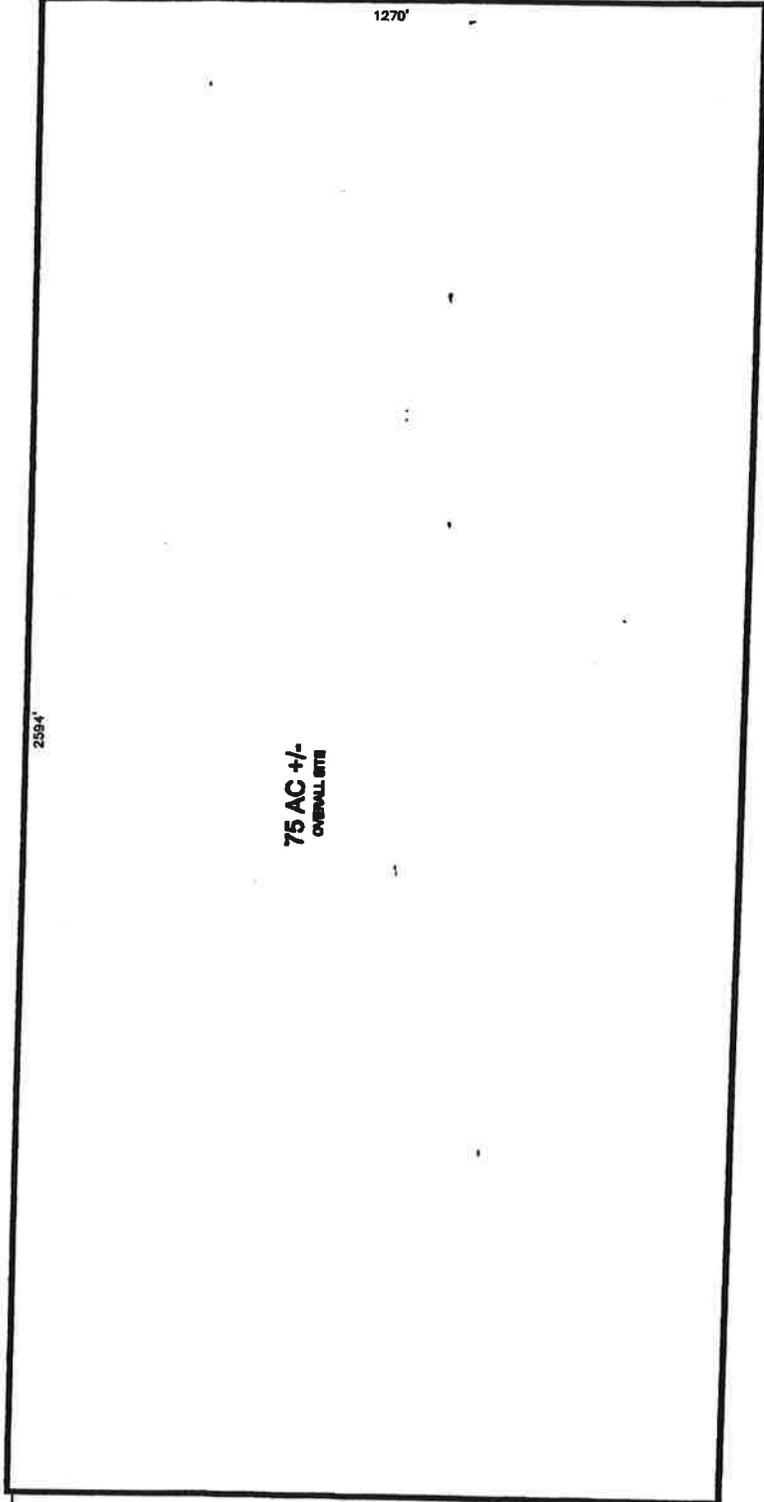
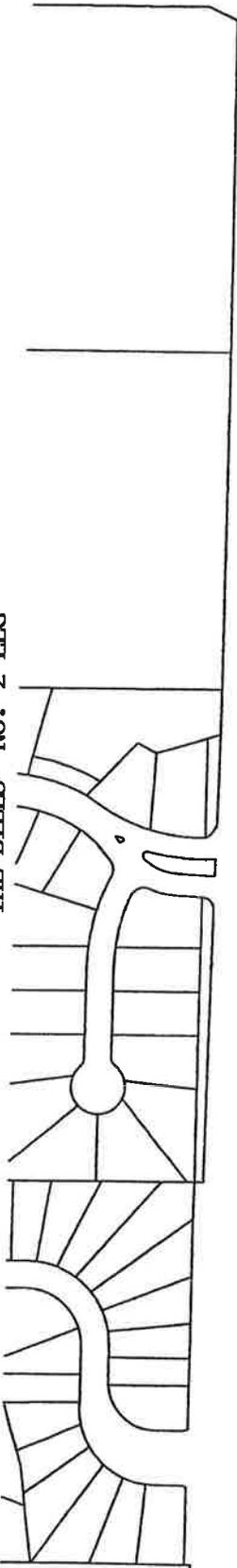
**THE BILLS' NO. 2, LLC PRE-ZONING & ANNEXATION PETITIONS**

PER INSTRUMENT #639914 OF BALDWIN COUNTY PROBATE RECORDS:

THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA, AND THE WEST HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY ALABAMA.

**EXHIBIT "B"  
ANNEXATION**

**THE BILLS' NO. 2 LLC**



**75 AC +/-  
OVERALL SITE**



**COMMERCIAL & TECHNOLOGY COMPLEX**



PLEASE Publish in the Bulletin Legal Section on Friday,  
July 10, 2015

FIRST NOTICE OF PUBLIC HEARING

Notice is hereby given the first time that the City Council of the City of Daphne will hold a Public Hearing on August 3, 2015 at 6:30 pm in the Council Chambers at City Hall, 1705 Main Street, Daphne, Alabama. The public is welcome to attend and offer comments opposing or favoring a proposed Ordinance annexing certain property as presented below. Any person with an American's with Disabilities Act disability must contact the City Clerk's office ten days prior to the Public Hearing, in order for accommodations to be made.

Rebecca A. Hayes, City Clerk

**PROPOSED ORDINANCE:**

**CITY OF DAPHNE, ALABAMA  
ORDINANCE 2015-**

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

**Property Located at the Southwest Corner of the Intersection of Champions Way and Alabama Highway 181  
The Bills' No. 2, LLC**

**WHEREAS**, on the 10<sup>th</sup> day of June, 2015, being the owner of all real property hereinafter described, did file with the City Clerk a petition asking that the said tracts or parcels of land be annexed into and become part of the City of Daphne, Alabama; and

**WHEREAS**, said petition did contain the signatures of all owners of the described territory, and a map of said property showing its relationship to the corporate limits of the City of Daphne, Alabama; and

**WHEREAS**, after proper publication, a public hearing was held by the City Council on August 3, 2015 concerning the petition for annexation; and

**WHEREAS**, said petition has been presented to the Planning Commission of the City of Daphne at a regular scheduled meeting on June 25, 2015, and the Commission set forth a unanimous favorable recommendation for the City Council of the City of Daphne to consider said request for annexation and said property; and

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

**SECTION ONE: ANNEXATION**

The City Council of the City of Daphne, Alabama finds that and declares as the legislative body of

PLEASE Publish in the Bulletin Legal Section on Friday, July 17, 2015

SECOND NOTICE OF PUBLIC HEARING

Notice is hereby given the second time, the first notice was given, July 10, 2015, that the City Council of the City of Daphne will hold a Public Hearing on August 3, 2015 at 6:30 pm in the Council Chambers at City Hall, 1705 Main Street, Daphne, Alabama. The public is welcome to attend and offer comments opposing or favoring a proposed Ordinance annexing certain property as presented below. Any person with an American's with Disabilities Act disability must contact the City Clerk's office ten days prior to the Public Hearing, in order for accommodations to be made.

Rebecca A. Hayes, City Clerk

**PROPOSED ORDINANCE:**

**CITY OF DAPHNE, ALABAMA  
ORDINANCE 2015-**

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

**Property Located at the Southwest Corner of the Intersection of Champions Way and Alabama Highway  
181  
The Bills' No. 2, LLC**

**WHEREAS**, on the 10<sup>th</sup> day of June, 2015, being the owner of all real property hereinafter described, did file with the City Clerk a petition asking that the said tracts or parcels of land be annexed into and become part of the City of Daphne, Alabama; and

**WHEREAS**, said petition did contain the signatures of all owners of the described territory, and a map of said property showing its relationship to the corporate limits of the City of Daphne, Alabama; and

**WHEREAS**, after proper publication, a public hearing was held by the City Council on August 3, 2015 concerning the petition for annexation; and

**WHEREAS**, said petition has been presented to the Planning Commission of the City of Daphne at a regular scheduled meeting on June 25, 2015, and the Commission set forth a unanimous favorable recommendation for the City Council of the City of Daphne to consider said request for annexation and said property; and

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

**SECTION ONE: ANNEXATION**

**City of Daphne Recreation Board**  
**2605 Hwy 98**  
**Daphne, AL. 36526**  
**May 13, 2015**

**Members Present:** Matt Cunningham, David Dueitt, Frank Pierce and Kit Smith

**Advisory Staff:** Councilman Robin LeJeune, David McKelroy and Charlie McDavid

**Guest:** Tim Patton (Volkert) and Victoria Phelps (Lake Forest Property Owners Association)

**Members Absent:** Rick Cleveland, Lisa O’Hara, Lawrence Yelding and Glenn Vickery

**Call to Order**

Meeting was called to order at 6:35pm.

**Review and approval of Minutes**

Motion was made by Kit Smith and seconded by Frank Pierce to approve the March 11, 2015 minutes. Motion passed.

**Public Participation**

Victoria Phelps with the LFPOA spoke briefly about the lease of the Lake Forest “Lake Nine” to the City of Daphne.

**Old / New Business**

Update – New Facilities    Tim Patton with Volkert, Inc updated the board about the proposed new facilities. The Master Plan, timelines and the formation of the Parks Planning Team were discussed. Should council decide to include Recreation Board members on the PPT, Matt Cunningham and David Dueitt volunteered and were approved by the Recreation Board to serve on the PPT (motion was made by Kit Smith and seconded by Frank Pierce).

**Comments by Director**

The Director commented on the following:

- The consideration of Non Resident Fees on registration for athletics.
- Activities at the Lake Forest “Lake Nine”
  1. Walking Trails with Fitness Stations
  2. Disc Golf
  3. Foot Golf ?

- The announcement of Jane Ellis as new Senior Coordinator

**Adjourn**

The meeting was adjourned at 7:40pm.

**City of Daphne Recreation Board**  
**2605 Hwy 98**  
**Daphne, AL. 36526**  
**June 10, 2015**

**Members Present:** Rick Cleveland, David Dueitt, Lisa O’Hara, Glenn Vickery

**Advisory Staff:** David McKelroy

**Guest:** Victoria Phelps and Dorothy Morris

**Members Absent:** Matt Cunningham, Frank Pierce, Kit Smith and Lawrence Yelding

**Call to Order**

Meeting was called to order at 6:33pm.

**Review and approval of Minutes**

Motion was made by David Dueitt and seconded by Lisa O’Hara to approve the May 13, 2015 minutes. Motion passed.

**Old / New Business**

**Update New Facilities** The Part Planning Team meeting scheduled for June 18, 2015 was discussed. It was discussed that the Daphne Recreation Board’s recommendations and priorities for new facilities could be changed by the PPT and the Council.

**Lake Forest Property / Disc Golf** Discussion was held about having Disc Golf at the Lake Forest Park (Lake Nine) property. Recommendation was made by Rick Cleveland and seconded by David Dueitt and passed that Disc Golf be located on this property.

**Dog Park** New benches at the Dog Park was discussed. Previous benches built by a Boys Scout years ago were no longer usable.

**Comments**

Rick Cleveland talked about the need for more care of facilities at Daphne schools being used by recreation programs.

**Adjourn**

The meeting was adjourned at 7:35pm.



Accepted by:

*Robert Segalla*  
Chairman, Daphne Utilities

# APPROVED MINUTES

## Utilities Board Meeting

Daphne Utilities Central Services Facility ♦ May 22, 2015 ♦ 3:30 p.m.

**I. Call to Order**

The regular May 2015 Board meeting for the Utilities Board of the City of Daphne was held on May 22, 2015 at 3:30 p.m. and called to order by Chairman Robert Segalla, proceeded by the Roll Call:

**II. Roll Call**

**Members Present:** Robert Segalla, Chairman  
Fenton Jenkins, Vice Chairman – arrived at 3:45 pm  
Randy Fry, Secretary/Treasurer  
Dane Haygood, Mayor – arrived at 3:32 pm  
Billy Mayhand

**Others Absent:**

**Others Present:** Jennifer Holifield – Board Attorney  
Danny Lyndall –General Manager  
Van Baggett – Operations Manager  
Drew Klumpp – Administrative Services Manager  
Teresa Logiotatos – Finance Manager  
Lori May-Wilson – Executive Assistant  
Tim Patton – Volkert & Associates  
Robbie Strom – HMR

**Others Absent:** Jerry Speegle – Board Attorney

**III. Pledge of Allegiance**

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

**IV. Approval of Minutes**

**A. Utilities Board Minutes from April 29, 2015:**

The Chairman requested one correction of the submitted Minutes for the April 29, 2015 Utilities Board meeting. Mayor Haygood arrived at 3:32pm.

*MOTION BY Billy Mayhand to approve the Minutes for April 29, 2015 with corrections as noted;  
Seconded by Mayor Dane Haygood.*

**AYE: HAYGOOD, MAYHAND, SEGALLA    NAY:    ABSENT: JENKINS    ABSTAIN: FRY    MOTION CARRIED**

**V. OLD BUSINESS –**

No old business.

**VI. NEW BUSINESS –**

- A. Commitment To Maintain Community Development Block Grant (CDBG) Funded Sewer Facilities (Requires Board Action: RESOLUTION)

Danny Lyndall explained that the City of Daphne has applied for a CDBG grant to complete the sewerage along the Whispering Pines Community corridor near the mobile home park and as part of the application process, a resolution from the Utility stating that the Utility will accept and maintain the facilities once they are complete.

*MOTION BY Randy Fry for approval of Resolution 2015-04 Commitment To Maintain Community Development Block Grant (CDBG) Funded Sewer Facilities; Seconded by Billy Mayhand.*

AYE: FRY, HAYGOOD, MAYHAND, SEGALLA

ABSENT: JENKINS

ABSTAIN:

**MOTION CARRIED**

**VII. BOARD ATTORNEY'S REPORT**

Nothing to add to the submitted report.

**VIII. FINANCIAL REPORT**

Teresa Logiotatos advised the board of a recent conference call with S&P regarding the bonds that are being considered for refunding. She indicated that a bond rating letter is required before they can be refunded and that the call was positive and favorable.

**IX. GENERAL MANAGER'S REPORT**

**A. GM Report**

Mr. Lyndall had nothing further to add to his report and referred to Tim Patton of Volkert to give details of a recent visit from the City of Diamondhead, Mississippi, whereby he explained how the Utility for the City of Diamondhead aspired to emulate Daphne Utilities Water Reclamation Facility and the biodiesel plant.

**B. Operations Report**

Van Baggett had a few announcements of awards received from AWPCA - Daphne Utilities Water Department as well as the Water Reclamation Facility obtained an award for Best Operated Plant and additionally, the Water Distribution Department received an Award of Excellence. He answered questions from the Board about his report.

**C. Engineering & Consulting Reports**

Tim Patton had nothing to add to the submitted report but answered questions from the Board.

Robbie Strom from HMR had nothing to add to the submitted report.

- X. **BOARD ACTION** – Previously addressed under “New Business”.

- XI. **PUBLIC PARTICIPATION** – None.

- XII. **BOARD COMMENTS** – Mayor Haygood complimented the Utilities' participation in the Relay for Life. Billy Mayhand gave accolades for the presentation of the rate structure study; Randy Fry also gave praise for all the determined work in order to receive the numerous awards the Utility was bestowed.

Fenton Jenkins arrived at 3:45 pm.

XIII. ADJOURNMENT -

*MOTION BY Billy Mayhand to adjourn.*

AYE: *Fry, Haygood, Jenkins, Mayhand, Segalla*

NAY:

ABSENT:

ABSTAIN:

**MOTION CARRIED**

The meeting adjourned at 3:47pm.

Preceding minutes submitted to the Daphne Utilities Board

*Lori Wilson*

by: Lori Wilson, Executive Assistant, Daphne Utilities

**RESOLUTION 2015 - 43**

**A RESOLUTION OF THE DAPHNE CITY COUNCIL REQUESTING THE EASTERN SHORE METROPOLITAN PLANNING ORGANIZATION FUND A PROJECT TO CONSTRUCT A TRANSIT FACILITY IN DAPHNE FOR WHICH THE CITY OF DAPHNE WILL PROVIDE THE 20% LOCAL MATCH**

**WHEREAS**, the City of Daphne (“City”) is a member of the Eastern Shore Metropolitan Planning Organization (MPO), and

**WHEREAS**, federal funding is available through the MPO for transit projects; and

**WHEREAS**, federal law requires a twenty percent (20%) local match for projects utilizing said federal funds; and

**WHEREAS**, City desires to construct a transit boarding and de-boarding facility (hereinafter “Project”) to aid existing and future transit operations within Daphne and on the Eastern Shore; and

**WHEREAS**, the estimated total Project cost is between \$200,000 and \$300,000; and

**WHEREAS**, the estimated local match for the Project is between \$40,000 and \$60,000; and

**WHEREAS**, the MPO requires a resolution from a sponsoring local government committing the sponsoring government to providing the 20% local match for project funds;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA** to request the Eastern Shore Metropolitan Planning Organization fund the Daphne transit facility and that we commit to providing the local match for said project amounting to 20% of the total project cost.

**ADOPTED AND APPROVED** this the \_\_\_\_ the day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
**Dane Haygood, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Rebecca A. Hayes, City Clerk**

**CITY OF DAPHNE**

**RESOLUTION 2015 - 44**

**Acceptance of Streets and/or Rights of Way  
A portion of Ray's Lane  
Southwest of Bradbury Circle, South of Lake Forest Subdivision**

**Whereas**, Idell Jones hereby desires to grant, bargain, convey, and/or donate to the City of Daphne a certain portion of the right-of-way of Ray's Lane to the City of Daphne; and,

**Whereas**, an inspection was made by the Director of the Division of Public Works, and has recommended acceptance of said right-of-way;

**Whereas**, the City Council of the City of Daphne, Alabama has received notice that the Planning Commission of the City of Daphne in its regularly scheduled meeting of June 25, 2015 reviewed the proposal and made a favorable recommendation for the acceptance of the same; and,

**Whereas**, said right-of-way is located within the corporate limits of the City of Daphne, Baldwin County, Alabama and is described as follows:

BEGINNING AT THE NORTHWEST CORNER OF LOT 154, UNIT 10, LAKE FOREST SUBDIVISION AS RECORDED IN MAP BOOK 7, PAGE 105; SAID CORNER BEING ON THE WEST BOUNDARY LINE OF SAID UNIT 10, THENCE RUN SOUTH 00°-15'-00" WEST 317.51 FEET ALONG SAID WEST BOUNDARY LINE OF UNIT 10 TO A POINT; THENCE RUN NORTH 89°-45'-00" WEST 60.0 FEET TO A POINT; THENCE RUN NORTH 00°-15'-00" EAST 317.51 FEET TO A CAPPED STEEL ROD; THENCE RUN SOUTH 89°-45'-00" EAST 60.0 FEET TO THE POINT OF BEGINNING, CONTAINING 0.44 ACRES MORE OR LESS.

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

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE**, that the below described right-of-way, a portion of Ray's Lane is hereby accepted by the City of Daphne, Alabama as a city street for maintenance:

**ADOPTED AND APPROVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.**

**THE CITY OF DAPHNE,  
AN ALABAMA MUNICIPAL CORPORATION**

\_\_\_\_\_  
**DANE HAYGOOD  
MAYOR**

**ATTEST:**

\_\_\_\_\_  
**REBECCA HAYES, CITY CLERK**

To: Office of the City Clerk  
From: Adrienne D. Jones,  
Director of Community Development  
Subject: Ray's Lane,  
Acceptance of Roads and Rights-of-Ways

## MEMORANDUM

Date: June 26, 2015

**LOCATION:** Southwest of Bradbury Circle South of Lake Forest Subdivision

**RECOMMENDATION:** At the June 25, 2015, regular meeting of the City of Daphne Planning Commission, seven members were present. The motion carried unanimously for a **favorable recommendation** for the acceptance as a city street(s) for maintenance.

Attached please find said documentation for placement on the Monday, July 6, 2015 City Council agenda.

Thank you,  
ADJ/jv

cc: file  
Richard Johnson, Public Works Director

attachment(s)

1. Memorandum from the Public Works Director
2. Resolution

**Dane Haygood**  
Mayor



**Richard D. Johnson, PE**  
Public Works Director

To: Adrienne Jones – Director of Community Development

Cc: Honorable Mayor Dane Haygood; City Clerk; File

From: Richard D. Johnson, P.E. **Richard D. Johnson, PE**  
Public Works Director

Digitally signed by Richard D. Johnson, PE  
DN: cn=Richard D. Johnson, PE, o=City of Daphne, ou=Division of Public Works, email=rjohnson@daphneal.com, c=US  
Date: 2015.06.09 07:27:44 -05'00'

Date: June 9, 2015

**RE: Acceptance of ROW and Maintenance of a Portion of Ray's Lane**

Ray's lane is contained within Lake Forest Subdivision and provides access to a portion of a forty acre out parcel and serves approximately three residents. Ray's Lanes starts from the cul-de-sac on Bradbury Circle South and crosses a lot owned by Friday Construction before entering the tract and turning south. In 1997 a ROW Deed was recorded granting the City a north-south tract approximately 60'x317.5' containing the majority of Ray's Lane. This deed was notarized by Jan Byrd a City Employee at the time. The Streets Department has been conducting routine maintenance – motor grading, gravel and drainage since approximately 1997. The Council and/or Planning Commission have never taken action on the public acceptance of Ray's Lane.

By motion of the Public Works Committee and upon recommendation of the City Attorney, it is requested of the Planning Commission to deliberate on and make recommendation to the City Council to take the following actions related to this portion of Ray's Lane:

1. Accept the Rights-Of-Way as described in the Recorded Deed – circa 1997
2. Officially bring into the City road inventory for maintenance.

The portion of Ray's Lane contained within the private lot owned by Friday Construction will need to be addressed at such time when title or easement is granted. If I can be of further assistance, do not hesitate to contact me.

Yours,

RDJ

Attachments: ROW Deed 1997, Map

Public Works Department  
26435 Public Works Road P.O. Box 400 Daphne, Alabama 36526  
Phone: (251) 621-3182 Fax: (251) 621-3189

City's Portion of Ray's Lane

**LEGAL DESCRIPTION:**

BEGINNING AT THE NORTHWEST CORNER OF LOT 154, UNIT 10, LAKE FOREST SUBDIVISION AS RECORDED IN MAP BOOK 7, PAGE 105; SAID CORNER BEING ON THE WEST BOUNDARY UNE OF SAID UNIT 10, THENCE RUN SOUTH 00°-15'-00" WEST 317.51 FEET ALONG SAID WEST BOUNDARY LINE OF UNIT 10 TO A POINT; THENCE RUN NORTH 89°-45'-00" WEST 60.0 FEET TO A POINT; THENCE RUN NORTH 00°-15'-00" EAST 317.51 FEET TO A CAPPED STEEL ROD; THENCE RUN SOUTH 89°-45'-00" EAST 60.0 FEET TO THE POINT OF BEGINNING, CONTAINING 0.44 ACRES MORE OR LESS.

DAPHNE, ALABAMA  
RIGHT-OF-WAY DEED

RECORD FEB 2 50  
STATE OF ALABAMA  
BALDWIN COUNTY  
I CERTIFY THIS INSTRUMENT WAS  
FILED AND TAXES COLLECTED ON

STATE OF ALABAMA)  
BALDWIN COUNTY )

OCT 16 12 09 PM '97

KNOW ALL MEN BY THESE PRESENTS THAT

DELL JONES  
JUDGE OF PROBATE

Idell Jones

in consideration of the value that will accrue to our property as the result of the construction of a new street abutting said property, I do hereby DEDICATE to the CITY OF DAPHNE, ALABAMA, A MUNICIPAL CORPORATION, AND TO THE PUBLIC, a Parcel of land in Section 4, Township 5 South, Range 2 East, in the City of Daphne, Baldwin County, Alabama, for use as a street right-of-way, described as follows, to-wit:

BEGINNING AT THE NORTHWEST CORNER OF LOT 154, UNIT 10, LAKE FOREST SUBDIVISION AS RECORDED IN MAP BOOK 7, PAGE 105; SAID CORNER BEING ON THE WEST BOUNDARY LINE OF SAID UNIT 10, THENCE RUN SOUTH 00°-15'-00" WEST 317.51 FEET ALONG SAID WEST BOUNDARY LINE OF UNIT 10 TO A POINT; THENCE RUN NORTH 89°-45'-00" WEST 60.0 FEET TO A POINT; THENCE RUN NORTH 00°-15'-00" EAST 317.51 FEET TO A CAPPED STEEL ROD; THENCE RUN SOUTH 89°-45'-00" EAST 60.0 FEET TO THE POINT OF BEGINNING, CONTAINING 0.44 ACRES MORE OR LESS.

TO HAVE AND TO HOLD UNTO the said City of Daphne, Alabama, a Municipal Corporation, and unto its successors and assigns, FOREVER.

IN WITNESS WHEREOF, the undersigned have caused these presents to be executed on this the 28th day of January, 1997.

Idell Jones

STATE OF ALABAMA

BALDWIN COUNTY

I, Jan M. McCarthy Byrd a Notary Public in and for said County in said State, hereby certify that Idell Jones whose name is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that, being informed of the contents of this conveyance, is executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 28th day of January, 1997

Jan M. McCarthy Byrd



My commission expires My Commission Expires 11-20-99

REEL 182 PAGE 1440



05-43-02-04-0-012-070.000  
LAKE FOREST SUB UNIT 10 LOT 154 (70)  
FRIDAY CONSTRUCTION, LLC

CITY OF DAPHNE  
Dedeed ROW - 10-16-1997  
Inst: RP782, PG1440

Centerline of  
Ray's Lane

# RAY'S LANE ROW STATUS

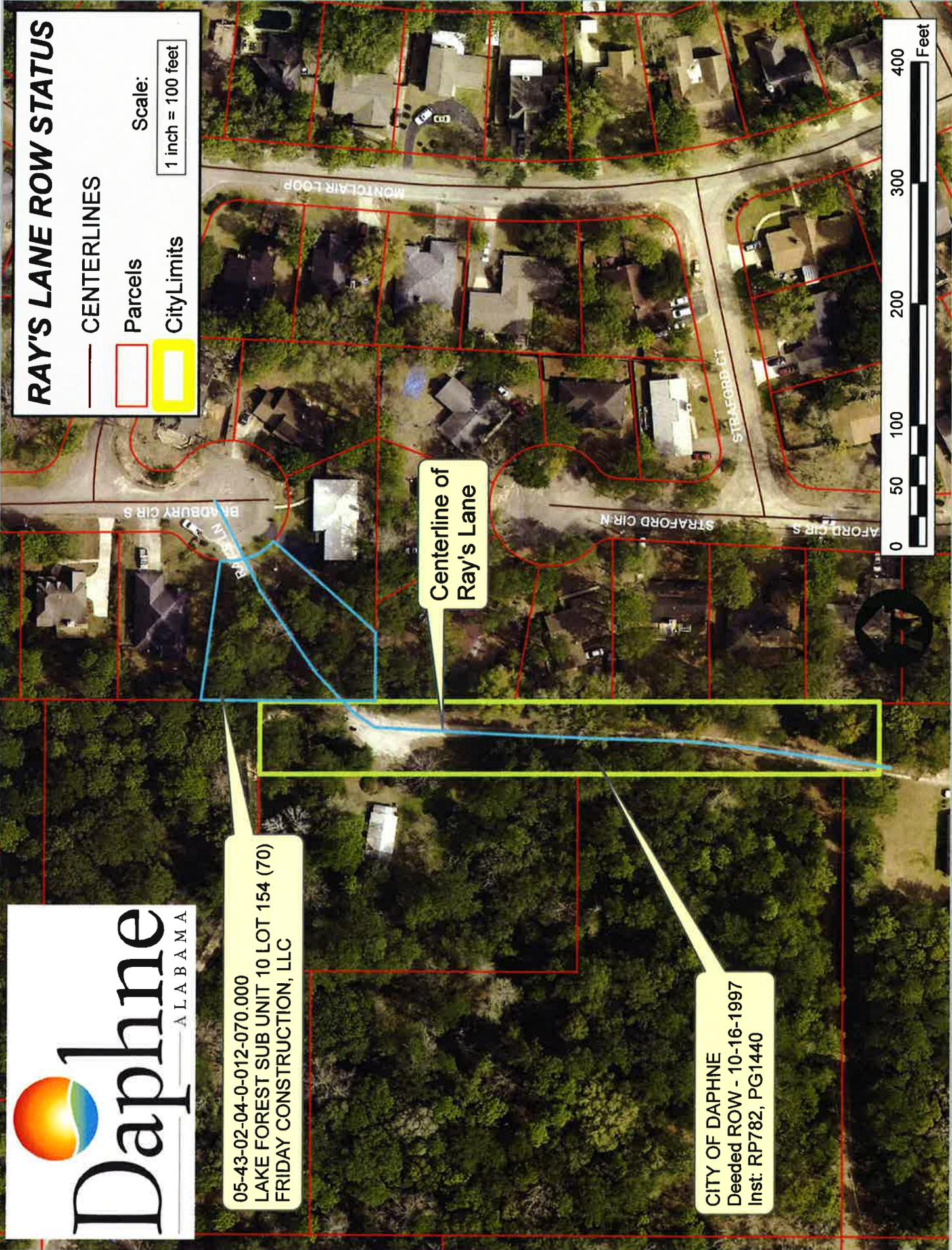
— CENTERLINES

▭ Parcels

▭ CityLimits

Scale:

1 inch = 100 feet



**CITY OF DAPHNE**

**RESOLUTION 2015 -**

**Acceptance of Streets and/or Rights of Way  
A portion of Ray's Lane  
Southwest of Bradbury Circle, South of Lake Forest Subdivision**

**Whereas**, Idell Jones hereby desires to grant, bargain, convey, and/or donate to the City of Daphne a certain portion of the right-of-way of Ray's Lane to the City of Daphne; and,

**Whereas**, an inspection was made by the Director of the Division of Public Works, and has recommended acceptance of said right-of-way;

**Whereas**, the City Council of the City of Daphne, Alabama has received notice that the Planning Commission of the City of Daphne in its regularly scheduled meeting of June 25, 2015 reviewed the proposal and made a favorable recommendation for the acceptance of the same; and,

**Whereas**, said right-of-way is located within the corporate limits of the City of Daphne, Baldwin County, Alabama and is described as follows:

BEGINNING AT THE NORTHWEST CORNER OF LOT 154, UNIT 10, LAKE FOREST SUBDIVISION AS RECORDED IN MAP BOOK 7, PAGE 105; SAID CORNER BEING ON THE WEST BOUNDARY LINE OF SAID UNIT 10, THENCE RUN SOUTH 00°-15'-00" WEST 317.51 FEET ALONG SAID WEST BOUNDARY LINE OF UNIT 10 TO A POINT; THENCE RUN NORTH 89°-45'-00" WEST 60.0 FEET TO A POINT; THENCE RUN NORTH 00°-15'-00" EAST 317.51 FEET TO A CAPPED STEEL ROD; THENCE RUN SOUTH 89°-45'-00" EAST 60.0 FEET TO THE POINT OF BEGINNING, CONTAINING 0.44 ACRES MORE OR LESS.

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

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE**, that the below described right-of-way, a portion of Ray's Lane is hereby accepted by the City of Daphne, Alabama as a city street for maintenance:

**ADOPTED AND APPROVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.**

**THE CITY OF DAPHNE,  
AN ALABAMA MUNICIPAL CORPORATION**

\_\_\_\_\_  
**TOMMIE CONAWAY  
COUNCIL PRESIDENT  
DATE AND TIME SIGNED:**

\_\_\_\_\_  
**DANE HAYGOOD  
MAYOR  
DATE AND TIME SIGNED:**

**ATTEST:**

\_\_\_\_\_  
**REBECCA HAYES, CITY CLERK**

**ORDINANCE 2015-33**  
**DAPHNE RECREATIONAL FACILITIES: MASTER PLANNING & PRE-DESIGN APPROPRIATION**

**WHEREAS**, Ordinance 2014-44 approved and adopted the Fiscal Year 2015 Budget on September 23, 2014; and

**WHEREAS**, subsequent to the adoption of the Fiscal Year 2015 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2015 budget; and

**WHEREAS**, Ordinance 2012-48 sets forth an allocation of Lodging Tax proceeds that may be used for certain recreational grounds capital items; and

**WHEREAS**, the Daphne Facilities project meets such recreational grounds capital criteria; and

**WHEREAS**, Engineers have been selected by Council to provide services and oversee the following segments of the project:

- Project Program Manager - Volkert & Associates
- Grass Athletic Consultant - Lose & Associates (HMR)
- Tennis Courts – Hatch Mott McDonald

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Daphne, Alabama, that the Fiscal Year 2015 Budget is hereby amended to include an appropriation from the Lodging Tax Fund for the Master Planning and Pre-Design Daphne of the Recreational Facilities in the amount of \$168,100.

**APPROVED AND ADOPTED** by the City Council of the City of Daphne, Alabama, this \_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
**Dane Haygood, Mayor**

**Attest:**

\_\_\_\_\_  
**Rebecca A. Hayes, City Clerk**

DRAFT

City of Daphne Recreation Facilities

Master Planning, Design and Construction Phase Services

May 26, 2015

SUMMARY OF SERVICES

Volkert proposes the following Scope of Services:

**Phase 1: Pre-Design Services**

- A) Site surveying
- B) Environmental Investigations
- C) Master Planning

**Phase 2: Design Services**

- A) Project Administration
- B) Civil engineering
- C) Landscape architectural
- D) Architectural design
- E) Mechanical engineering
- F) Electrical engineering

**Phase 3: Construction Phase Services**

- A) Construction Contract Administration
- B) Construction Site Representation
- C) Technical support for bidding
- D) Technical support for construction administration

I. **SCOPE OF SERVICES**

**Phase 1: Pre-Design Services**

A. SITE SURVEYING

Prepare topographic surveys of Parcels A, B & C as shown on the attached aerial photographs, located on the City of Daphne's properties near Park Drive and at Lott and Trione Parks. The Topographic Survey will be performed to the current Minimum Standard of Practice for Surveys in Alabama to category 1 precision as detailed in the regulations. The map of survey will be prepared at 1"=100' scale or a scale approved by client to show the property on a single sheet. The Map will show wetlands as delineated by others, flood zones, setbacks and zoning issues that can be indicated graphically. Utilities, drainage ways and culverts, rights-of-way and easements will be shown to the extent that they are visible in the field or that

Volkert is made aware of by the Owner in lieu of a title report. The bearings will be relative to current published data for Alabama State Grid.

The topography and Benchmarks will be set relative to local published datum for NAVD 88 elevations. The Map of survey will be prepared at a scale of 1"=30'. The survey will show 1' interval contours prepared from spot shots at minimum 50' interval and along break lines.

## B. ENVIRONMENTAL INVESTIGATIONS

This task includes identifying and reporting potential environmental effects of the proposed park improvements and corresponding existing or additional environmental permitting coordination or acquisition requirements. It is understood that previous wetland delineations and corresponding permitting performed for the City's Park Drive property and approved by the USACE are still valid.

## C. MASTER PLANNING

### **Task 1: Park Planning Team Workshop**

In this task we will gather and assemble information regarding the sites, prepare for the Parks Planning Team (PPT) workshop, conduct the workshop, prepare a preliminary program which will be prioritized based on the workshop results and compile decisions made and direction provided by the PPT in the workshop.

Preparation for the workshop will include preparing a presentation and boards that illustrate park planning options considered to date, key planning and design issues to be considered with respect to each park site and refine techniques for decision making and prioritization during the meeting. The planning team will also re-visit the site inventory and analysis conducted during the proposal and will visit each site once again prior to the workshop.

We will conduct the workshop with the PPT in Daphne. The workshop will include an overview of existing master plan options, development of specific goals and objectives, criteria for evaluating options, development of potential options, evaluation of the options, prioritization for plan implementation and an initial review of park programming details through the use of an Athletic Complex Checklist. This checklist will assist in defining the program for recreation facilities, material and systems selection, etc., that will guide the master plan and establish baselines for development of the opinions of probable cost. The desired outcome of the workshop will be to develop a consensus on what facilities are to be developed at which park site, a preliminary program for each site and facilities, the priorities for each facility for implementation and the budgetary constraints that the phasing plan needs to be developed under and general direction regarding the desired arrangement of facilities at each site. Following completion of the workshop, we will develop a written and graphic summary of the results of the workshop including key decisions made for distribution to the participants. This will form the basis for the development of preliminary master plan options.

### **Key Task Outcomes:**

- Consensus on what facilities are to be developed at which park site

- Preliminary program for each site and the facilities
- Implementation priority for each facility
- Budgetary constraints
- General direction regarding the desired arrangement of facilities on each site

**Task 2: Preliminary Master Plan Development Options**

Following the workshop, we will utilize the results of the PPT workshop, program information, the results of the site inventory and analysis to prepare up to two (2) alternative conceptual master plans for each park site. The concept plans will illustrate the location, size, type, character, and scale of the proposed improvements in a diagram format. We will review these concepts at a meeting with the PPT to receive their input. A top-level comparative cost will be discussed with the PPT for each option. During this meeting, we will come to a consensus with the PPT regarding a preferred direction on a master plan option for each site.

**Key Task Outcomes:**

- Selection of a preferred master plan option for each site

**Task 3: Draft Master Plan Synthesis**

In this task, we will refine the preferred alternative diagram based on input received from the PPT public into a more finished preliminary plan that will more accurately depict the location, scale, and character of the proposed improvements within each park. For the Park Drive site, we will prepare a preliminary grading plan in order to more accurately estimate costs for earthwork. We will prepare initial preliminary opinions of probable costs for the implementation of the plans for each park and phasing recommendations based on the budgetary constraints and priorities developed in the PPT workshop. This information will be presented at a meeting with the PPT for review and comment.

**Key Task Outcomes:**

- Refinement of master plans
- Preliminary grading plan for Park Drive
- Phasing recommendations
- Project budget definition and refinement
- Consensus on plans to be presented to the City Council

**Task 4: Preliminary Final Master Plan Refinement**

Based on comments received from the PPT, we will complete final rendered plans for each site and a brief written final report documenting the master planning process, which will contain

reduced copies of the rendered plan, supporting documentation, and the opinions of probable cost. Copies of the final draft plan and report will be provided to the PPT for review and comment.

**Key Task Outcomes:**

- Preparation of final draft master plan and report
- Draft copies of the final plan and report submitted to the PPT for review
- Make any necessary revisions as a result of PPT comments
- Prepare copies of the final plan and report for submission to City Council

**Task 5: Final Master Plan Refinement**

- Present the draft final plan to City Council.

**Key Task Outcomes:**

- Approval of the plan by the City Council subject to any revisions they may require
- Make any necessary revisions as a result of comments received

**Task 6: Final Master Plans**

Make any necessary revisions to the draft plan and report as a result of comments received and submit the final deliverables to include:

- One mounted copy of the color rendered conceptual master plan for each park
- 10 copies (more or less depending on Client requirements) of the final written report documenting the planning process including a reduced copy of the color rendered master plan, recommended phasing of construction, preliminary opinions of probable cost by phase
- Electronic copies of the color rendered master plan and final report in .pdf format.

**Key Task Outcomes:**

- Completion of the Master Planning Phase

**Task 7: Signage and Branding Concepts**

Provide signage and branding options that will coincide with the City's overall master signage and branding program. Meet with designated personnel with the City to develop signage concepts that will allow readily recognizing City of Daphne park facilities and corresponding uses.

**Key Task Outcomes:**

- Developing a branding program and signage design that will consistently identify Daphne parks and corresponding activities

## **Phase 2: Design Services**

Volkert will coordinate with all designated project design consultants to monitor project progress including completion schedules, construction budget costs, and required permit & planning submittals. Monthly reports will be provided to the City for tracking the project progress including completed and anticipated tasks, schedules and costs.

Volkert will develop the preliminary design, specifications and scopes of work descriptions for each park that are to be constructed within the available budget funds based on the selected Master Plan improvements. Design services performed by Volkert and the other consultants selected by the City for identified areas will include the various design disciplines necessary to prepare the final construction plans and technical specifications for receiving construction bids for the park improvements and for support during construction. Submittals to the City for review, comment and approval will include a 30% complete submittal by Volkert to further verify the estimated costs and define the specifications, along with a 50% complete submittal, a 90% complete submittal and a 100% complete submittal by HMR/Lose for the grass athletic field improvements and by Hatch, Mott, McDonald for the tennis facility and the remaining required facilities by Volkert for issuing for construction bids.

### **A. CIVIL ENGINEERING SERVICES**

Volkert will provide civil engineering design services to include preliminary site layout, roadway and parking lot design, site utilities design, grading/drainage/erosion control design, earthwork calculations, opinion of probable construction cost (OPCC) and technical specifications for the selected Master Plan improvements and the final design for items that are not included in the HMR/Lose and Hatch, Mott, McDonald scopes of work. Specific items are noted as follows:

#### Site Layout Design

Provide professional Civil Engineering design services illustrating the location of proposed improvements. Coordinate geometry will be provided for critical site features. This information will be provided in a format such that the successful contractor will be able to locate items on the proposed site.

#### Roadway and Parking Lot Design

Provide professional Civil Engineering design services illustrating the proposed entrance roadway and parking lot location, size, and elevations. Plan and profile drawings will be drawn as required for local review and approval. Plans will include the following items:

1. Centerline geometry(horizontal and vertical) and plan dimensions;

2. Inlet locations;
3. Typical roadway and parking lot sections;
4. Curb and gutter details;
5. Sidewalk size and location;
6. Roadway and parking lot location for layout purposes;
7. Details as required.

#### Site Utilities Design

Provide professional Civil Engineering design services illustrating the proposed sanitary sewer system, connection to existing sanitary sewer service, and water system layout and design as required for local review and approval. Plans will include the following items:

1. Sanitary sewer location and size;
2. Sewer profile (if necessary);
3. Connection to existing adjacent sewer service location;
4. Water line size and locations;
5. Fire Hydrant locations, as required;
6. Connection of water line to main;
7. Tap and meter locations;
8. Details as required.

Hydraulic computations will be prepared for regulatory reviews and approval. This design will be in accordance with the regulations, standards and specifications of the State and local agencies having jurisdiction.

#### Grading, Drainage and Storm Water Management System Design/ Phased Erosion Control Design

Provide professional Civil Engineering design services to illustrate site grading, surface conveyances, proposed storm water drainage system. Plans will include the following items:

1. Horizontal and vertical alignments of piped and surface conveyances;
2. Typical ditch sections;
3. Grading, as required;
4. Retaining wall design (as required);
5. Details for storm water collection and conveyance;
6. Temporary sediment ponds, as required;
7. Storm water detention areas, as required;
8. Erosion, sediment and pollution controls.

Storm water calculations will be accomplished using approved methods. Temporary sediment ponds may be required as part of the project detention/erosion and sediment controls. The storm water design will accommodate on-street and off-street drainage. A storm water management report (hydrology and hydraulics) will be prepared as required. Plans will also include erosion, sediment and pollution controls using accepted Best Management Practices (BMP's). In addition, a Storm Water Pollution Prevention Plan (SWPPP) will be developed.

## B. LANDSCAPE ARCHITECTURAL SERVICES

Provide landscape architectural design services for the proposed complex. Services are to include the overall project design focusing upon vehicular/pedestrian circulation, sports field layout and design, hardscape design, irrigation design and planting design.

### Planting Design

Provide professional landscape architectural design services illustrating the proposed planting design for the areas immediately adjacent to the ball field complexes and other areas as permitted by the budget. Plans will illustrate the following items:

- a. Plant location;
- b. Plant type;
- c. Plant name (scientific and common);
- d. Plant size;
- e. Notes;
- f. Details;
- g. Quantity.

Plans will be drawn to a known scale.

### Irrigation Design

Provide professional irrigation for the sports fields and common areas in the parks. Plans will be drawn to a known scale and will illustrate the following:

1. Point of connection to water source;
2. Meter size and location;
3. Backflow size and location;
4. Controller location;
5. Main line size and routing;
6. Valve size, type and location;
7. Lateral line size and routing;
8. Irrigation head, type, and location;
9. Quick coupler location;
10. Notes and details;

### Hardscape Design

Provide professional landscape architectural design services illustrating the proposed hardscape features for the project area. Proposed features are to focus on the following areas:

1. Plaza areas between ball fields and adjacent buildings;
2. Amenity areas;
3. Specialty pavement.

Plans will illustrate the following:

1. Material type and finishes;
2. Dimensions and layout;
3. Spot elevations and slopes;
4. Drainage inlets and piping;
5. Utility locations;
6. Notes, details, etc.

#### Sports Field Design:

Provide professional landscape architectural design services illustrating the proposed sports fields. Plans will illustrate the following:

1. Sports field layout, design and grading;
2. Turf design and details
3. Fencing, backstop, and dugouts;
4. Irrigation;
5. Sports field equipment locations (goals, foul poles, etc.)
6. Notes, details, etc.

#### Site Wayfinding Signage

Provide design, specifications and an overall site map for the on-site wayfinding/directional signage for each park complex and for other areas that provide direction to the various park complexes.

### C. ARCHITECTURAL/STRUCTURAL DESIGN SERVICES

Provide professional architectural and structural engineering design services for the proposed buildings in the parks. Plans will include:

1. Plans and elevations;
2. Building and wall sections;
3. Details;
4. Room finish and door schedule;
5. Structural framing plans and details;
6. Building foundation and slab design.

### D. MECHANICAL ENGINEERING DESIGN SERVICES

Provide professional mechanical engineering design for the proposed buildings. Services are to include the following items:

1. HVAC design;
2. Waste, vent and domestic hot and cold water piping to all toilet and concession areas and any other fixtures requiring plumbing;
3. Coordinate site plumbing requirements with site civil engineers;

## E. ELECTRICAL ENGINEERING DESIGN SERVICES

Provide professional electrical engineering design services for the site, sports fields, roadways, parking lots and buildings. Specific items included are as follows:

1. Site electrical distribution;
2. Sports field lighting;
3. Parking area and roadway lighting;
4. Building electrical design;
4. Notes and details.

### Phase 3: Construction Phase Services

#### A. TECHNICAL SUPPORT FOR BIDDING SERVICES

Provide professional services related to supporting the City of Daphne to include bidding and awarding of the construction contract for the project. These services will begin upon the successful completion of final construction documents and will occur on an as needed basis. Specific items included are as follows:

1. Preparation of a project manual including all front end and technical specifications necessary for bidding the project.
2. Assist with advertisement and solicitation of bids;
3. Prepare addendums as required during the bid phase;
4. Conduct a pre-bid meeting;
5. Prepare and issue meeting minutes of pre-bid meeting;
6. Respond to contractor questions;
7. Prepare certified bid tabulation;
8. Submit recommendation of award;

#### B. TECHNICAL SUPPORT FOR CONSTRUCTION ADMINISTRATION SERVICES

Provide professional services related construction administration of the project on an as needed basis. These services will begin at the pre-construction meeting and end with project closeout services. Specific items included are as follows:

1. Pre-construction conferences;
2. Review and approval of contractor shop drawings, submittals, progress schedule, and schedule of values and monitor for performance during the contract period;
3. Review and approval and recommendation of payment of contractor monthly pay requests;
4. Conduct monthly construction progress meeting and issue meeting minutes;
5. Review change order requests;
6. Provide necessary interpretations and clarifications of the contract documents;
7. Provide periodic site visits (at least twice per month) to observe the progress of construction;
8. Participate in punch list inspection;
9. Issue notice of Substantial Completion;

10. Conduct final project closeout.
11. Warranty Inspection

## II. ASSUMPTIONS

Volkert will provide the above noted services based upon a given set of assumptions. These assumptions are as follows:

- A) Appropriate sanitary sewer, water, gas, electric and communication services are available to the site; off-site design services can be provided as an additional service.
- B) Construction administration services are based upon a twelve month construction schedule;
- C) Total project construction budget is to be determined with the completion of the master plan.
- D) Construction is currently expected to commence and be completed by early 2017. It is assumed that the work will be bid in a single bid package and the construction contract will be awarded to a single General Contractor on a lump sum basis.
- E) Project is to be funded with 100% local funds such that there is no regulatory requirements outside the City that will govern the design and construction process other than those typically required by the State for erosion control, environmental protection, etc.
- F) Services/Information by Others
  1. Geotechnical and geophysical investigations are not included however Volkert can assist the City in procuring these services and providing coordination.
  2. Testing and geotechnical services during construction are not included herewith;
  3. Permit and recording fees, cost for advertisement for bids, etc. and all other associated costs to be paid by the City of Daphne;
  4. Schedule is dependent upon the timely receipt of critical information such as receipt of permits, responses from regulatory authorities, Owner and Contractor;
  5. Zoning changes, re-platting, and/or subdivision of property by others.

## III. ADDITIONAL SERVICES

Volkert is available to provide additional services as requested by client as needed. These services are as follows:

- A. Traffic studies;
- B. Construction staking surveys;
- C. Any environmental studies and reports, sink hole disturbance permitting, wetland mitigation, ARAP permits for wetland mitigation and/or stream relocation, etc. other than those included in Master Planning.
- D. Archeological studies;
- E. Preparation of utility and access easements;
- F. Revisions to plans to incorporate text revisions issued by bid document addendums;
- G. Preparation of multiple, separate construction contract packages;
- H. As-built surveys and/or construction record surveys;

- I. Services resulting from significant changes in general scope or character of the project or its design following approval of the 50% and 90% submittals and during construction, particularly those resulting from differing field conditions discovered during construction (such as, but not limited to, soil conditions);
- J. Record drawing preparation based upon markups prepared by the general contractor;
- K. Development of site plan graphics and perspective drawings for marketing purposes other than those identified as part of Basic Services;
- L. ALTA/ACSM land title surveys;
- M. Platting and recording services;
- N. Mortgage surveys and or surveys for title companies and lending institutions;
- O. Resident Project Representation (RPR) services.
- P. Construction phase services beyond the date of substantial completion if the Contractor exceeds the construction contract time.

Other Additional Services can be provided for a negotiated lump sum fee or on a per hourly rate basis of actual labor cost multiplied by a multiplier of 3.0.

#### **IV. TIME OF PERFORMANCE**

Volkert is prepared to begin work immediately upon receipt of a signed professional services agreement or written authorization to proceed. The work will be completed as quickly as possible in order to get the project issued for bid as soon as possible.

#### **V. OWNER'S RESPONSIBILITIES**

Volkert strives to work closely with our clients. In order for the project team to function efficiently certain information is needed to be provided by the Owner and other interested stakeholders. These items and responsibilities are noted below:

- A. Provide information as required to support development of Volkert's scope as required in the project agreement for services;
- B. Provide review comments in a timely manner;
- C. Provide single point of contact for project coordination purposes.

#### **VI. DELIVERABLES**

The following is an anticipated list of deliverables that will be produced as a part of this effort.

- 1. Topographic surveys;
- 2. 2 copies of 30%, 50%, 90% and 100% complete submittals;
- 3. 2 complete sets of construction plans, notes, project manual, and details (plans will be distributed to bidders using a virtual plan room);
- 4. Meeting notes and site observation reports;
- 5. Opinions of Probable Construction Cost(OPCC)

#### **VII. COMPENSATION**

The compensation to be paid to Volkert for providing requested services shall be as follows:

## **Master Planning/Pre-Design Services**

### **A. Topographic Survey**

- i. Park Drive - \$21,000 Lump Sum
- ii. Lott Park - \$8,500 Lump Sum
- iii. Trione Park - \$19,600 Lump Sum

### **B. Master Planning**

- i. Task 1 – PPT Workshop - \$17,000 Cost Plus
- ii. Task 2 – Preliminary Master Plan Development Options - \$37,000 Cost Plus
- iii. Task 3 – Draft Master Plan Synthesis - \$21,000 Cost Plus
- iv. Task 4 – Preliminary Final Master Plan Refinement - \$19,000 Cost Plus
- v. Task 5 – Final Master Plan Refinement - \$7,000 Cost Plus
- vi. Task 6 – Final Master Plan - \$4,000 Cost Plus
- vii. Task 7 – Signage and Branding Development - \$9,000 Cost Plus

### **C. Environmental Review - \$5,000 Cost Plus**

### **D. Total Estimated Fee - \$163,100**

## **Design and Construction Phase Services**

Volkert proposes to provide Project Administration services on a cost plus basis with a 3.0 multiplier with a current estimated maximum fee of \$150,000 for the design and construction duration of the selected Phase I Master Plan improvements.

The Volkert proposes to complete the preliminary design (30% Complete) services on a cost plus basis with a 3.0 multiplier with a current estimated maximum fee of \$212,000. Volkert will invoice monthly for work completed based on actual monthly costs.

The fee for performing the remaining 50%, 90% and 100% design plans and construction phase services will be based on a negotiated percent of construction fee of the actual construction costs. Until the final construction cost is known, monthly progress payments will be made based on a percent of the design or construction is completed, as appropriate, based on the estimated construction costs. This percentage will include the fees for the design and construction phase services to be provided Volkert/Barge, Waggoner, Sumner and Cannon, Inc., HMR/Lose and Associates and Hatch, Mott and McDonald.

**ORDINANCE NO. 2015-34**

**An Ordinance Setting Forth the Authorization of Certain City Officials as Designated Signatories on Various Accounts of the City of Daphne, Alabama.**

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

SECTION 1: The following Officers of the City of Daphne, Alabama, be and hereby are officially designated as the appropriate and authorized signatories on the various City accounts of the City of Daphne, Alabama:

Mayor	Dane Haygood
Finance Director	Kelli Kichler
Councilmember	John L. Lake
Councilmember	Pat Rudicell

SECTION 2: All checks, drafts, and all other financial transfers shall be signed by two (2) of the above-designated signatories.

SECTION 3: Any ordinance or resolution previously adopted which in any way conflicts with this Ordinance is hereby deemed repealed in its entirety with the exclusion of Resolution 2013-37 which prescribes signatories for the Confiscated Funds account.

SECTION 4: The provisions of this Ordinance are severable. If any part of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, such declaration shall not affect the remaining parts.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, THIS \_\_\_\_\_ day of \_\_\_\_\_, 2015.**

\_\_\_\_\_  
**Dane Haygood, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Rebecca A. Hayes, City Clerk**

**ORDINANCE 2015-35**

**Lake Forest – Lot 62-Sub Unit 25 Property Purchase**

**WHEREAS**, Ordinance 2014-44 approved and adopted the Fiscal Year 2015 Budget on September 23, 2014; and

**WHEREAS**, subsequent to the adoption of the Fiscal Year 2015 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2015 budget; and

**WHEREAS**, several properties have had drainage issues with the last occurrence being during the 16.5" rainfall for the period of April 29-30, 2014; and

**WHEREAS**, the repair of this public infrastructure is necessary to preserve the health, safety, and convenience of the public; and

**WHEREAS**, this purchase is NOT eligible for FEMA reimbursement; and

**WHEREAS**, the cost to purchase the property is \$7,500.

**NOW, THEREFORE, BE IT ORDAINED**, that the Fiscal Year 2015 Budget is hereby amended to include an appropriation in the amount of \$7,500 from the General Fund for purchase of the Lake Forest, Lot 62, Sub Unit 25 (*PPIN:017540*).

**APPROVED AND ADOPTED** by the City Council of the City of Daphne, Alabama, this \_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
**Dane Haygood, Mayor**

**Attest:**

\_\_\_\_\_  
**Rebecca A. Hayes, City Clerk**

**ORDINANCE 2015-36**

**An Ordinance Amending the City of Daphne Pay Plan and Appropriation of funds**

**WHEREAS**, Ordinance 2004-52 as adopted January 3, 2005 established the City of Daphne Job Classification Schedule; and

**WHEREAS**, Ordinance 2014-44 approved and adopted the Fiscal Year 2015 Budget on September 23, 2014 which funded approved personnel positions for the City; and

**WHEREAS**, subsequent to the adoption of the Fiscal Year 2015 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2015 budget; and

**WHEREAS**, the Archer Company prepared a comparison salary survey in 2012 and recommended a percentage based increase for all positions but due to the economic conditions at that time the budget did not allow those personnel increases to be implemented; and

**WHEREAS**, recent evaluations of the current pay plan have shown that City salaries are not in line with current market salary rates; and

**WHEREAS**, a proposed new pay plan has been created with the 2012 salary survey as the basis and adjustments made to stay in line with surrounding municipalities pay scale for Directors; and

**WHEREAS**, updates to the pay plan also include all COLA, merit, and step increases that have been given to City personnel since the 2012 survey was prepared; and

**WHEREAS**, after further review, the City Council recommends that the proposed Pay Plan as attached be implemented.

**NOW, THEREFORE BE IT ORDAINED** by the City Council of the City of Daphne, Alabama, that:

- 1) *Amend Ordinance 2015-09 and 2015-27 to include the Finance Director's CPA Certification pay-\$12,000 and a portion of the Treasurer's pay \$7,000 (adjusting the Treasurer's pay supplement to \$5,000) in the new pay plan, and*
- 2) *Appropriate from the General Fund one-half of the increase for the new pay plan effective the first pay period of August, \$17,341 and the second half on the first pay period of August 2016 (FY16-\$121,384).*

**APPROVED AND ADOPTED** by the City Council of the City of Daphne, Alabama, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
**Dane Haygood, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Rebecca Hayes, City Clerk**

**FY 2015 PERSONNEL BUDGET & THE 2012 REVISED ARCHER PAY TABLE WITH THE FOLLOWING ADJUSTMENTS FOR DIRECTORS AND DEPUTY DIRECTORS**

- 1) Current Step 1-5: No change in step on revised pay table
- 2) Current Step 6-10: 1 Step decrease in revised pay table \*\*
- 3) Current Step 11-15: 2 step decrease in revised pay table
- 4) Current Step 16-20: Based on avg. salaries of 2015 survey
- 5) Public Safety Director's based on Avg. Salaries of 2015 Survey
- 6) Deputy Finance Director Pay Grade decrease to 29 to align with Public Works Deputy Director
- 7) Align PW Deputy Director to step comparable with current salary

**EXISTING PAY TABLE**

Account Description	EXISTING PAY TABLE			2012 ARCHER REVISED			TOTAL INCREASE		
	Grade	Step	Total Payroll	Grade	Step	Total Payroll	Total Wages	Total Benefits	Total Payroll
CITY CLERK	26	13	57,282	26	11	58,152	870	135	1,005
DIRECTOR - PERSONNEL	36	3	56,136	36	3	70,372	14,236	2,132	16,368
DIRECTOR - FINANCE	36	16	75,791	36	16	95,405	19,614	1,578	21,192
CPA/TREASURER			24,000			4,600	(19,400)	(1,260)	(20,660)
DIRECTOR-PLANNING	36	3	56,136	36	3	70,372	22,057	2,132	16,368
BUILDING OFFICIAL	36	7	62,215	36	6	76,149	13,934	2,287	16,221
DIRECTOR-PUBLIC WORKS	38	18	81,886	38	10	89,252	7,366	2,727	10,093
DIRECTOR-RECREATION	29	11	58,874	29	9	63,457	4,582	795	5,377
DIRECTOR-LIBRARY	29	10	57,577	29	9	63,457	5,880	996	6,876
DIRECTOR-CC/CVB	32	7	57,344	32	6	66,339	8,995	1,486	10,481
<b>DIRECTORS' TOTAL</b>			<b>587,242</b>			<b>657,555</b>	<b>70,313</b>	<b>13,008</b>	<b>83,321</b>

CHIEF-POLICE	PS39	21	87,391	38	14	97,451	10,060	3,177	13,237
CHIEF-FIRE	PS37	15	75,327	36	12	87,703	12,376	2,671	15,047
<b>CHIEFS' TOTAL</b>			<b>162,718</b>			<b>185,154</b>	<b>22,436</b>	<b>5,847</b>	<b>28,283</b>

DEPUTY FINANCE DIRECTOR	32	2	50,403	29	2	53,016	2,614	405	3,018
DEPUTY PUBLIC WORKS DIRECTOR	29	10	57,577	29	6	58,982	1,405	910	2,315
<b>DEPUTY DIRECTORS' TOTAL</b>			<b>107,980</b>			<b>111,998</b>	<b>4,019</b>	<b>1,315</b>	<b>5,334</b>

<b>TOTAL PAYROLL INCREASE:</b>			<b>857,939</b>			<b>954,707</b>	<b>96,768</b>	<b>20,170</b>	<b>116,938</b>
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DIRECTOR'S AVG. SALARY BASED ON 2015 SURVEY
\$66,401.00
\$75,973.00
\$79,751.00
\$81,998.00
\$90,475.00
\$66,277.00
\$62,827.00
\$64,455.00
\$97,163.00
\$87,693.00

**FY 2015 PERSONNEL BUDGET & THE 2012 REVISED ARCHER TABLE WITH DIRECTOR ADJUSTMENTS**

	CURRENT			REVISED ARCHER TABLE			INCREASE		
	Total Wages	Total Benefits	Total	Total Wages	Total Benefits	Total	Total Wages	Total Benefits	Total
<b>Legislative (Excluding Council)</b>									
Department Head	57,282	20,329	77,611	58,152	20,464	78,616	870	135	1,005
Other Employees (1)	36,270	17,076	53,346	36,575	17,123	53,698	305	47	352
	<u>93,552</u>	<u>37,404</u>	<u>130,957</u>	<u>94,727</u>	<u>37,587</u>	<u>132,314</u>	<u>1,175</u>	<u>182</u>	<u>1,357</u>
<b>Executive</b>									
Mayor	75,000	23,062	98,062	75,000	23,062	98,062	-	-	-
Other Employees (2)	68,494	27,840	96,333	69,592	28,010	97,602	1,098	170	1,268
	<u>143,494</u>	<u>50,902</u>	<u>194,395</u>	<u>144,592</u>	<u>51,072</u>	<u>195,664</u>	<u>1,098</u>	<u>170</u>	<u>1,268</u>
<b>IT</b>									
Other Employees (1)	39,723	17,640	57,363	40,341	17,736	58,077	618	96	714
<b>Human Resources</b>									
Department Head	56,136	19,915	76,051	70,372	22,047	92,419	14,236	2,132	16,368
Other Employees (2)	92,749	31,595	124,344	94,975	31,940	126,915	2,226	345	2,571
	<u>148,885</u>	<u>51,510</u>	<u>200,395</u>	<u>165,347</u>	<u>53,987</u>	<u>219,334</u>	<u>16,462</u>	<u>2,477</u>	<u>18,939</u>
<b>Finance</b>									
Department Head	99,791	21,246	121,037	100,005	21,563	121,568	214	317	531
Deputy Director	50,403	13,599	64,002	53,016	14,003	67,019	2,613	404	3,017
Other Employees (5)	204,127	83,240	287,367	208,118	83,866	291,984	3,991	627	4,617
	<u>354,321</u>	<u>118,085</u>	<u>472,406</u>	<u>361,139</u>	<u>119,432</u>	<u>480,571</u>	<u>6,818</u>	<u>1,348</u>	<u>8,165</u>
<b>Revenue</b>									
Other Employees (3)	102,190	50,202	152,392	103,626	50,472	154,098	1,436	270	1,706
<b>Municipal Court</b>									
Other Employees (3)	110,356	51,436	161,793	112,186	51,720	163,906	1,830	283	2,113
<b>Community Development</b>									
Department Head	56,136	19,925	76,061	70,372	22,057	92,429	14,236	2,132	16,368
Other Employees (3)	111,902	40,376	152,278	113,936	40,690	154,626	2,034	315	2,349
	<u>168,038</u>	<u>60,301</u>	<u>228,339</u>	<u>184,308</u>	<u>62,748</u>	<u>247,056</u>	<u>16,270</u>	<u>2,447</u>	<u>18,717</u>
<b>Building Maintenance</b>									
Other Employees (5)	177,054	78,545	255,599	179,910	79,072	258,982	2,855	528	3,383
<b>Janitorial</b>									
Other Employees (2)	53,580	21,433	75,013	54,270	21,561	75,831	691	128	818
<b>Total General Government</b>	<u>1,391,193</u>	<u>537,458</u>	<u>1,928,651</u>	<u>1,440,446</u>	<u>545,386</u>	<u>1,985,832</u>	<u>49,253</u>	<u>7,929</u>	<u>57,181</u>
<b>Police Administration</b>									
Department Head	87,391	27,178	114,569	97,451	30,355	127,806	10,060	3,177	13,237
Other Employees (2)	73,450	28,807	102,257	74,767	29,011	103,778	1,317	204	1,521
	<u>160,841</u>	<u>55,986</u>	<u>216,826</u>	<u>172,218</u>	<u>59,366</u>	<u>231,584</u>	<u>11,377</u>	<u>3,381</u>	<u>14,758</u>
<b>Police - Patrol</b>									
Other Employees (2)	60,059	26,494	86,553	60,787	26,607	87,394	728	113	841
<b>Police - Detective</b>									
Other Employees (1)	39,999	17,668	57,666	40,846	17,799	58,645	847	131	979
<b>Communications</b>									
Other Employees (10)	328,096	147,903	475,999	332,719	148,619	481,338	4,623	716	5,339
<b>Corrections</b>									
Other Employees (2)	83,761	25,566	109,327	85,339	25,829	111,168	1,578	263	1,841

	CURRENT			REVISED ARCHER TABLE			INCREASE		
	Total Wages	Total Benefits	Total	Total Wages	Total Benefits	Total	Total Wages	Total Benefits	Total
<b>Animal Control</b>									
Other Employees (3)	99,575	39,507	139,082	101,127	39,765	140,892	1,553	257	1,810
<b>Fire Department</b>									
Department Head	75,327	25,620	100,947	87,703	28,291	115,993	12,376	2,671	15,046
Other Employees (1)	33,383	10,949	44,331	33,845	11,020	44,865	462	72	534
	108,710	36,568	145,278	121,548	39,311	160,858	12,838	2,742	15,580
<b>Building Inspection</b>									
Department Head	62,215	21,637	83,852	76,149	23,924	100,073	13,934	2,287	16,221
Other Employees (4)	172,228	73,636	245,864	175,608	74,185	249,794	3,380	549	3,930
	234,444	95,273	329,716	251,757	98,109	349,867	17,314	2,837	20,150
<b>Code Enforcement</b>									
Other Employees (1)	41,636	12,719	54,355	42,517	12,864	55,381	881	145	1,026
<b>Total Public Safety</b>	<b>1,157,118</b>	<b>457,685</b>	<b>1,614,802</b>	<b>1,208,858</b>	<b>468,269</b>	<b>1,677,126</b>	<b>51,740</b>	<b>10,584</b>	<b>62,324</b>
<b>Public Works - Administration</b>									
Department Head	81,886	24,168	106,054	89,252	26,895	116,147	7,366	2,727	10,093
Deputy Director	57,577	20,405	77,982	58,982	21,316	80,298	1,405	911	2,316
Other Employees (3)	121,815	47,665	169,480	124,313	48,052	172,365	2,499	387	2,885
	261,278	92,238	353,516	272,547	96,264	368,811	11,269	4,025	15,295
<b>Solid Waste</b>									
Other Employees (18)	630,059	292,788	922,847	640,095	294,896	934,990	10,035	2,108	12,143
<b>Grounds</b>									
Other Employees (13)	388,326	200,949	589,274	392,854	201,830	594,684	4,529	881	5,409
<b>Mowing</b>									
Other Employees (8)	253,253	123,389	376,641	256,971	124,112	381,083	3,718	723	4,441
<b>Mechanic Shop</b>									
Other Employees (8)	272,064	129,148	401,212	276,041	129,873	405,914	3,977	725	4,702
<b>Total Public Works</b>	<b>1,804,979</b>	<b>838,512</b>	<b>2,643,491</b>	<b>1,838,508</b>	<b>846,974</b>	<b>2,685,482</b>	<b>33,529</b>	<b>8,462</b>	<b>41,991</b>
<b>Recreation - Sports Park</b>									
Other Employees (6)	186,315	82,163	268,478	189,255	82,735	271,989	2,939	572	3,511
<b>Recreation</b>									
Department Head	58,874	21,642	80,516	63,457	22,437	85,893	4,582	795	5,377
Other Employees (5)	187,246	71,937	259,183	190,254	72,450	262,704	3,008	513	3,521
	246,120	93,579	339,699	253,710	94,887	348,597	7,590	1,308	8,898
<b>Library</b>									
Department Head	57,577	15,611	73,188	63,457	16,607	80,064	5,880	996	6,876
Other Employees (10)	344,675	140,577	485,252	350,754	141,631	492,384	6,078	1,054	7,132
	402,252	156,188	558,440	414,211	158,238	572,448	11,958	2,050	14,008
<b>Total Recreation</b>	<b>834,688</b>	<b>331,930</b>	<b>1,166,617</b>	<b>857,175</b>	<b>335,859</b>	<b>1,193,035</b>	<b>22,488</b>	<b>3,929</b>	<b>26,417</b>
<b>Garbage</b>									
Other Employees (7)	230,634	118,223	348,857	233,969	118,940	352,909	3,335	717	4,052
<b>Recycling</b>									
Other Employees (5)	152,841	84,314	237,155	154,866	84,749	239,615	2,024	435	2,459
<b>Civic Center/Bayfront</b>									
Department Head	57,344	20,898	78,242	66,339	22,383	88,722	8,995	1,485	10,480
Other Employees (5)	170,767	73,597	244,364	173,507	74,039	247,545	2,739	442	3,181
	228,111	94,494	322,605	239,846	96,421	336,267	11,735	1,927	13,662
<b>Total Enterprise</b>	<b>611,587</b>	<b>297,031</b>	<b>908,617</b>	<b>628,680</b>	<b>300,111</b>	<b>928,791</b>	<b>17,094</b>	<b>3,080</b>	<b>20,173</b>

	CURRENT			REVISED ARCHER TABLE			INCREASE		
	Total Wages	Total Benefits	Total	Total Wages	Total Benefits	Total	Total Wages	Total Benefits	Total
Total Department Head	749,960	238,169	988,129	842,709	257,023	1,099,732	92,749	18,854	111,602
Total Deputy Directors	107,980	34,004	141,984	111,998	35,319	147,317	4,018	1,315	5,333
Mayor	75,000	23,062	98,062	75,000	23,062	98,062	-	-	-
Total Other Employees	4,866,624	2,167,380	7,034,004	4,943,960	2,181,195	7,125,155	77,336	13,815	91,151
Total	5,799,564	2,462,615	8,262,179	5,973,666	2,496,599	8,470,265	174,103	33,984	208,086

**CITY OF DAPHNE, ALABAMA  
ORDINANCE NO. 2015-37**

**Ordinance to Rezone Property Located  
One Quarter Mile South of the Intersection of County Road 64 and Pollard Road  
Cadence Bank**

**WHEREAS**, Cadence Bank as the owner of certain real property located within the City of Daphne, Alabama, has requested that said property be rezoned from R-4, High Density Multi-Family Residential District to PUD, Planned Unit Development District; and,

**WHEREAS**, said real property is located one quarter mile south of the intersection of County Road 64 and Pollard Road, and more particularly described as follows:

**LEGAL DESCRIPTION FOR 6.19 ACRES**

BEGINNING AT A 1/2 INCH CAPPED REBAR (LS #10675) AT THE NORTHWEST CORNER OF LOT 1 OF BOLAR VIEW SUBDIVISION, AS SHOWN BY MAP OR PLAT THEREOF, RECORDED AT SLIDE 1532-A, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA AND RUN THENCE SOUTH 01 DEGREES 04 MINUTES 08 SECONDS WEST, ALONG THE EAST RIGHT-OF-WAY OF POLLARD ROAD, A DISTANCE OF 328.91 FEET TO A 2 INCH CRIMP TOP IRON PIPE; THENCE RUN SOUTH 88 DEGREES 58 MINUTES 56 SECONDS EAST, A DISTANCE OF 163.13 FEET TO A 1/2 INCH CAPPED REBAR (LS #10675); THENCE RUN SOUTH 00 DEGREES 49 MINUTES 24 SECONDS WEST, A DISTANCE OF 107.87 FEET TO A 1/2 INCH CAPPED REBAR (LS #10675); THENCE RUN SOUTH 89 DEGREES 08 MINUTES 33 SECONDS EAST, A DISTANCE OF 200.79 FEET TO A 1/2 INCH CAPPED REBAR; THENCE RUN SOUTH 00 DEGREES 45 MINUTES 29 SECONDS WEST, A DISTANCE OF 119.64 FEET TO A 1/2 INCH CAPPED REBAR (LS #10675); THENCE RUN SOUTH 88 DEGREES 52 MINUTES 30 SECONDS EAST, A DISTANCE OF 251.28 FEET TO A 1/2 INCH CAPPED REBAR (CA-0756-LS); THENCE RUN NORTH 01 DEGREES 42 MINUTES 21 SECONDS EAST, A DISTANCE OF 619.00 FEET TO A 5/8 INCH CAPPED REBAR (CA-007-LS); THENCE RUN NORTH 61 DEGREES 24 MINUTES 06 SECONDS WEST, A DISTANCE OF 69.56 FEET TO A 1/2 INCH REBAR; THENCE RUN NORTH 88 DEGREES 46 MINUTES 57 SECONDS WEST, A DISTANCE OF 253.23 FEET TO 1/2 INCH CAPPED REBAR (CA-0951-LS); THENCE RUN SOUTH 36 DEGREES 03 MINUTES 26 SECONDS EAST, A DISTANCE OF 22.95 FEET TO A 1/2 INCH CAPPED REBAR (CA-0393-LS); THENCE RUN SOUTH 63 DEGREES 07 MINUTES 11 SECONDS WEST, A DISTANCE OF 167.13 FEET TO A 1/2 INCH CAPPED REBAR (LS #10675); THENCE RUN NORTH 88 DEGREES 43 MINUTES 18 SECONDS WEST, A DISTANCE OF 174.49 FEET TO THE POINT OF BEGINNING.

LESS AND ACCEPT LOTS 1-3 OF BOLAR VIEW SUBDIVISION AS RECORDED ON SLIDE 1532A IN THE PROBATE RECORDS OF BALDWIN COUNTY, ALABAMA.

TRACT CONTAINS 6.19 ACRES, MORE OR LESS, AND LIES IN SECTION 21, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.

**WHEREAS**, at the City of Daphne Planning Commission meeting on April 23, 2015 the Commission considered said request and set forth a unanimous favorable recommendation to the City Council of the City of Daphne that said property be rezoned; and,

**WHEREAS**, due notice of said proposed rezoning has been provided to the public as required by law through publication and open display at the Daphne Public Library and City Hall, a public hearing was held before the City Council on July 6, 2015; and,

**WHEREAS**, the City Council of the City of Daphne after due consideration and upon consideration of the recommendation of the Planning Commission, and the public hearing deemed that said application for rezoning of the above described real property is proper and in the best interest of the health, safety and welfare of the citizens of the City of Daphne, Alabama.

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

**SECTION I: ZONING**

That above described real property is hereby rezoned from R-4, High Density Multi-Family Residential District to PUD, Planned Unit Development District, and that the zoning ordinance and zoning map be amended to reflect the said zoning change.

**SECTION III: 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 IV: 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 V: EFFECTIVE DATE.**

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

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS \_\_\_\_\_ day of \_\_\_\_\_, 2015.**

\_\_\_\_\_  
**Dane Haygood,**  
**Mayor**

**ATTEST:**

\_\_\_\_\_  
**Rebecca A. Hayes, City Clerk**

## EXHIBIT A

### LEGAL DESCRIPTION FOR 6.19 ACRES

BEGINNING AT A 1/2 INCH CAPPED REBAR (LS #10675) AT THE NORTHWEST CORNER OF LOT 1 OF BOLAR VIEW SUBDIVISION, AS SHOWN BY MAP OR PLAT THEREOF, RECORDED AT SLIDE 1532-A, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA AND RUN THENCE SOUTH 01 DEGREES 04 MINUTES 08 SECONDS WEST, ALONG THE EAST RIGHT-OF-WAY OF POLLARD ROAD, A DISTANCE OF 328.91 FEET TO A 2 INCH CRIMP TOP IRON PIPE; THENCE RUN SOUTH 88 DEGREES 58 MINUTES 56 SECONDS EAST, A DISTANCE OF 163.13 FEET TO A 1/2 INCH CAPPED REBAR (LS #10675); THENCE RUN SOUTH 00 DEGREES 49 MINUTES 24 SECONDS WEST, A DISTANCE OF 107.87 FEET TO A 1/2 INCH CAPPED REBAR (LS #10675); THENCE RUN SOUTH 89 DEGREES 08 MINUTES 33 SECONDS EAST, A DISTANCE OF 200.79 FEET TO A 1/2 INCH CAPPED REBAR; THENCE RUN SOUTH 00 DEGREES 45 MINUTES 29 SECONDS WEST, A DISTANCE OF 119.64 FEET TO A 1/2 INCH CAPPED REBAR (LS #10675); THENCE RUN SOUTH 88 DEGREES 52 MINUTES 30 SECONDS EAST, A DISTANCE OF 251.28 FEET TO A 1/2 INCH CAPPED REBAR (CA-0756-LS); THENCE RUN NORTH 01 DEGREES 42 MINUTES 21 SECONDS EAST, A DISTANCE OF 619.00 FEET TO A 5/8 INCH CAPPED REBAR (CA-007-LS); THENCE RUN NORTH 61 DEGREES 24 MINUTES 06 SECONDS WEST, A DISTANCE OF 69.56 FEET TO A 1/2 INCH REBAR; THENCE RUN NORTH 88 DEGREES 46 MINUTES 57 SECONDS WEST, A DISTANCE OF 253.23 FEET TO 1/2 INCH CAPPED REBAR (CA-0951-LS); THENCE RUN SOUTH 36 DEGREES 03 MINUTES 26 SECONDS EAST, A DISTANCE OF 22.95 FEET TO A 1/2 INCH CAPPED REBAR (CA-0393-LS); THENCE RUN SOUTH 63 DEGREES 07 MINUTES 11 SECONDS WEST, A DISTANCE OF 167.13 FEET TO A 1/2 INCH CAPPED REBAR (LS #10675); THENCE RUN NORTH 88 DEGREES 43 MINUTES 18 SECONDS WEST, A DISTANCE OF 174.49 FEET TO THE POINT OF BEGINNING.

LESS AND ACCEPT LOTS 1-3 OF BOLAR VIEW SUBDIVISION AS RECORDED ON SLIDE 1532A IN THE PROBATE RECORDS OF BALDWIN COUNTY, ALABAMA.

TRACT CONTAINS 6.19 ACRES, MORE OR LESS, AND LIES IN SECTION 21, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.



**CITY OF DAPHNE, ALABAMA  
ORDINANCE NO. 2015-38**

**Ordinance to Pre-Zone Property Located  
One Quarter Mile South of the Intersection of County Road 64 and Pollard Road  
Cadence Bank**

**WHEREAS**, Cadence Bank as the owner of certain real property located within the unincorporated area of Baldwin County, Alabama, has requested that said property be pre-zoned from RSF-2, Single Family Residential District, Baldwin County District 15 to PUD, Planned Unit Development District, City of Daphne; and

**WHEREAS**, said real property is one quarter mile south of the intersection of County Road 64 and Pollard Road, and more particularly described as follows:

**Legal Description for Pre-zone:**

LOTS 1-3 OF BOLAR VIEW SUBDIVISION AS RECORDED ON SLIDE 1532A IN  
THE PROBATE RECORDS OF BALDWIN COUNTY, ALABAMA.

**WHEREAS**, at the regular Planning Commission meeting on April 23, 2015, the Commission considered said request and set forth a unanimous favorable recommendation; and,

**WHEREAS**, due notice of said proposed pre-zoning has been provided to the public as required by law through publication and open display at the Daphne Public Library and City Hall, a public hearing was held before the City Council on July 6, 2015; and,

**WHEREAS**, the City Council of the City of Daphne after due consideration and upon consideration of the notes of the Planning Commission, deemed that said application for pre-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**

That above described real property is hereby pre-zoned from RSF-2, Single Family Residential District, Baldwin County District 15, to PUD, Planned Unit Development District, City of Daphne, and that the zoning ordinance and zoning map 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 AND EXPIRATION DATE.**

This Ordinance, and in particular the pre-zoning shall take effect after the date of its approval by the City Council of the City of Daphne and publication as required by law. Pursuant to Code of Alabama (1975) Section 11-52-85, the zoning of the property, shall become effective upon the date the territory is annexed into the corporate limits, if any portion of the territory is not annexed into the corporate limits within 180 days of the initiation of annexation proceedings as provided by law then this pre-zoning shall be null and void.

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF  
DAPHNE, ALABAMA, THIS            day of            , 2015.**

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**Dane Haygood,  
Mayor**

**ATTEST:**

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**Rebecca A. Hayes,  
City Clerk**

**EXHIBIT A**

**LEGAL DESCRIPTION FOR CADENCE BANK**

**LOTS 1-3 OF BOLAR VIEW SUBDIVISION AS RECORDED ON SLIDE 1532A IN THE  
PROBATE RECORDS OF BALDWIN COUNTY, ALABAMA.**



## **LEGAL DESCRIPTION FOR VILLAS AT ST. CHARLES VILLAGE PUD**

BEGINNING AT A 1/2 INCH CAPPED REBAR (LS #10675) AT THE NORTHWEST CORNER OF LOT 1 OF BOLAR VIEW SUBDIVISION, AS SHOWN BY MAP OR PLAT THEREOF, RECORDED AT SLIDE 1532-A, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA AND RUN THENCE SOUTH 01 DEGREES 04 MINUTES 08 SECONDS WEST, ALONG THE EAST RIGHT-OF-WAY OF POLLARD ROAD, A DISTANCE OF 328.91 FEET TO A 2 INCH CRIMP TOP IRON PIPE; THENCE RUN SOUTH 88 DEGREES 58 MINUTES 56 SECONDS EAST, A DISTANCE OF 163.13 FEET TO A 1/2 INCH CAPPED REBAR (LS #10675); THENCE RUN SOUTH 00 DEGREES 49 MINUTES 24 SECONDS WEST, A DISTANCE OF 107.87 FEET TO A 1/2 INCH CAPPED REBAR (LS #10675); THENCE RUN SOUTH 89 DEGREES 08 MINUTES 33 SECONDS EAST, A DISTANCE OF 200.79 FEET TO A 1/2 INCH CAPPED REBAR; THENCE RUN SOUTH 00 DEGREES 45 MINUTES 29 SECONDS WEST, A DISTANCE OF 119.64 FEET TO A 1/2 INCH CAPPED REBAR (LS #10675); THENCE RUN SOUTH 88 DEGREES 52 MINUTES 30 SECONDS EAST, A DISTANCE OF 251.28 FEET TO A 1/2 INCH CAPPED REBAR (CA-0756-LS); THENCE RUN NORTH 01 DEGREES 42 MINUTES 21 SECONDS EAST, A DISTANCE OF 619.00 FEET TO A 5/8 INCH CAPPED REBAR (CA-007-LS); THENCE RUN NORTH 61 DEGREES 24 MINUTES 06 SECONDS WEST, A DISTANCE OF 69.56 FEET TO A 1/2 INCH REBAR; THENCE RUN NORTH 88 DEGREES 46 MINUTES 57 SECONDS WEST, A DISTANCE OF 253.23 FEET TO 1/2 INCH CAPPED REBAR (CA-0951-LS); THENCE RUN SOUTH 36 DEGREES 03 MINUTES 26 SECONDS EAST, A DISTANCE OF 22.95 FEET TO A 1/2 INCH CAPPED REBAR (CA-0393-LS); THENCE RUN SOUTH 63 DEGREES 07 MINUTES 11 SECONDS WEST, A DISTANCE OF 167.13 FEET TO A 1/2 INCH CAPPED REBAR (LS #10675); THENCE RUN NORTH 88 DEGREES 43 MINUTES 18 SECONDS WEST, A DISTANCE OF 174.49 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 7.27 ACRES, MORE OR LESS, AND LIES IN SECTION 21, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.



**PULLED FROM THE AGENDA PER OWNER AT THE JULY 6, 2015 COUNCIL MEETING**

**CITY OF DAPHNE, ALABAMA**

**ORDINANCE 2015-39**

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

**Property Located One Quarter Mile South of the Intersection of County Road 64 and  
Pollard Road  
Cadence Bank**

**WHEREAS**, on the 26<sup>th</sup> day of March, 2015, being the owner of all real property hereinafter described, did file with the City Clerk a petition asking that the said tracts or parcels of land be annexed into and become part of the City of Daphne, Alabama; and

**WHEREAS**, said petition did contain the signatures of all owners of the described territory and a map of said property showing its relationship to the corporate limits of the City of Daphne, Alabama; and

**WHEREAS**, after proper publication, a public hearing was held by the City Council on July 6, 2015 concerning the petition for annexation; and

**WHEREAS**, said petition has been presented to the Planning Commission of the City of Daphne at a regular scheduled meeting on April 23, 2015, and the Commission set forth a unanimous favorable recommendation for the City Council of the City of Daphne to consider said request for annexation and said property; and

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

**SECTION ONE: ANNEXATION**

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

**SECTION TWO: DESCRIPTION OF TERRITORY**

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

**Legal Description for Annexation:**

LOTS 1-3 OF BOLAR VIEW SUBDIVISION AS RECORDED ON SLIDE 1532A IN THE PROBATE RECORDS OF BALDWIN COUNTY, ALABAMA.

**SECTION THREE: MAP OF PROPERTY**

The property hereby annexed into the City of Daphne, Alabama is set forth and described in Exhibit “A” and attached hereto a map of the property (*Exhibit “B”*) showing its relationship to the corporate limits of the municipality of the City of Daphne and made a part of this ordinance.

**SECTION FOUR: PUBLICATION**

This Ordinance shall be published as required by Section 11-42-21 Code of Alabama 1975, as amended, and the property described herein shall be annexed into the corporate limits of the City of Daphne, and a certified copy of the same shall be filed with the Office of the Judge of Probate of Baldwin County, Alabama as required by Section 11-42-21, Code of Alabama 1975, as amended.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.**

\_\_\_\_\_  
**Dane Haygood,**  
**Mayor**

**ATTEST:**

\_\_\_\_\_  
**Rebecca A. Hayes,**  
**City Clerk**

## **EXHIBIT “A”**

### **Legal Description for Annexation:**

LOTS 1-3 OF BOLAR VIEW SUBDIVISION AS RECORDED ON SLIDE 1532A IN THE PROBATE RECORDS OF BALDWIN COUNTY, ALABAMA.

## **LEGAL DESCRIPTION FOR VILLAS AT ST. CHARLES VILLAGE PUD**

BEGINNING AT A 1/2 INCH CAPPED REBAR (LS #10675) AT THE NORTHWEST CORNER OT LOT 1 OF BOLAR VIEW SUBDIVISION, AS SHOWN BY MAP OR PLAT THEREOF, RECORDED AT SLIDE 1532-A, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA AND RUN THENCE SOUTH 01 DEGREES 04 MINUTES 08 SECONDS WEST, ALONG THE EAST RIGHT-OF-WAY OF POLLARD ROAD, A DISTANCE OF 328.91 FEET TO A 2 INCH CRIMP TOP IRON PIPE; THENCE RUN SOUTH 88 DEGREES 58 MINUTES 56 SECONDS EAST, A DISTANCE OF 163.13 FEET TO A 1/2 INCH CAPPED REBAR (LS #10675); THENCE RUN SOUTH 00 DEGREES 49 MINUTES 24 SECONDS WEST, A DISTANCE OF 107.87 FEET TO A 1/2 INCH CAPPED REBAR (LS #10675); THENCE RUN SOUTH 89 DEGREES 08 MINUTES 33 SECONDS EAST, A DISTANCE OF 200.79 FEET TO A 1/2 INCH CAPPED REBAR; THENCE RUN SOUTH 00 DEGREES 45 MINUTES 29 SECONDS WEST, A DISTANCE OF 119.64 FEET TO A 1/2 INCH CAPPED REBAR (LS #10675); THENCE RUN SOUTH 88 DEGREES 52 MINUTES 30 SECONDS EAST, A DISTANCE OF 251.28 FEET TO A 1/2 INCH CAPPED REBAR (CA-0756-LS); THENCE RUN NORTH 01 DEGREES 42 MINUTES 21 SECONDS EAST, A DISTANCE OF 619.00 FEET TO A 5/8 INCH CAPPED REBAR (CA-007-LS); THENCE RUN NORTH 61 DEGREES 24 MINUTES 06 SECONDS WEST, A DISTANCE OF 69.56 FEET TO A 1/2 INCH REBAR; THENCE RUN NORTH 88 DEGREES 46 MINUTES 57 SECONDS WEST, A DISTANCE OF 253.23 FEET TO 1/2 INCH CAPPED REBAR (CA-0951-LS); THENCE RUN SOUTH 36 DEGREES 03 MINUTES 26 SECONDS EAST, A DISTANCE OF 22.95 FEET TO A 1/2 INCH CAPPED REBAR (CA-0393-LS); THENCE RUN SOUTH 63 DEGREES 07 MINUTES 11 SECONDS WEST, A DISTANCE OF 167.13 FEET TO A 1/2 INCH CAPPED REBAR (LS #10675); THENCE RUN NORTH 88 DEGREES 43 MINUTES 18 SECONDS WEST, A DISTANCE OF 174.49 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 7.27 ACRES, MORE OR LESS, AND LIES IN SECTION 21, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.