

Case No./Name: Z24-33 Chadwell Property

Meeting Date: September 5, 2024

Request: Rezoning request for RA to RR to construct a wholesale warehouse distribution center

Recommendation: Approval

Staff Lead: Brittany Epling

Owner: Cynthia Chadwell

Applicant: Lost Islands, LLC – Jay Quave

To view maps/plats in higher resolution and public comments received related to this case, please visit the “Upcoming Items” Planning and Zoning webpage : <https://baldwincountyal.gov/departments/planning-zoning/meeting-agenda>

Z24-33 CHADWELL PROPERTY

RE-ZONING REQUEST FROM RA TO RR

Lead Staff: Brittany Epling, Planning Technician II

Planning District: 22

Parcel ID #: 05-53-05-22-0-000-011.003

PIN: 107513

Zoned: RA – Rural Agricultural District

Location: Subject property is located north of US Highway 98, East of Elberta

Current Use: Vacant/Agricultural

Acreage: 20 +/- acres

Applicant: Lost Islands, LLC – Jay Quave

Owner: Cynthia Chadwell

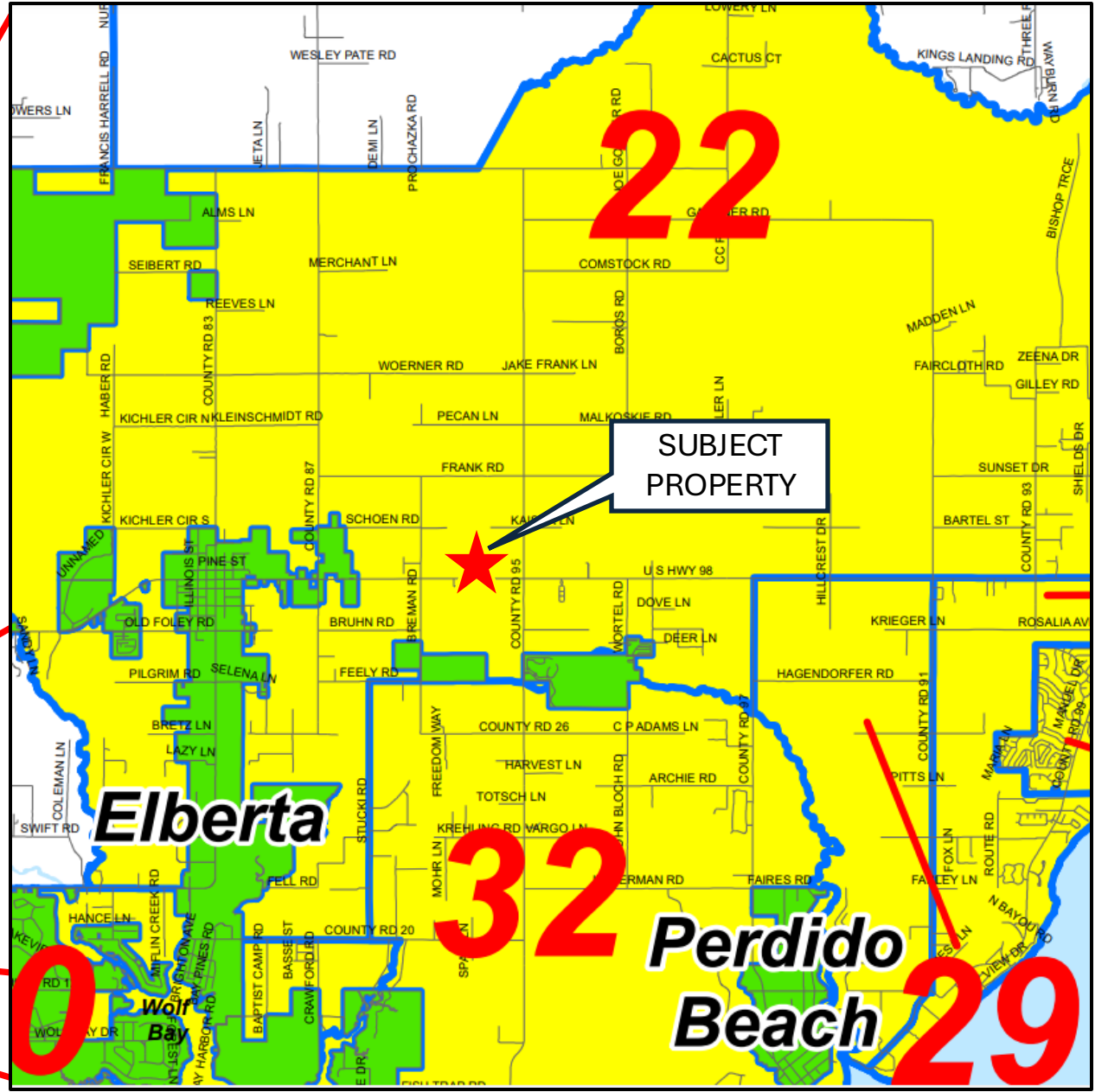
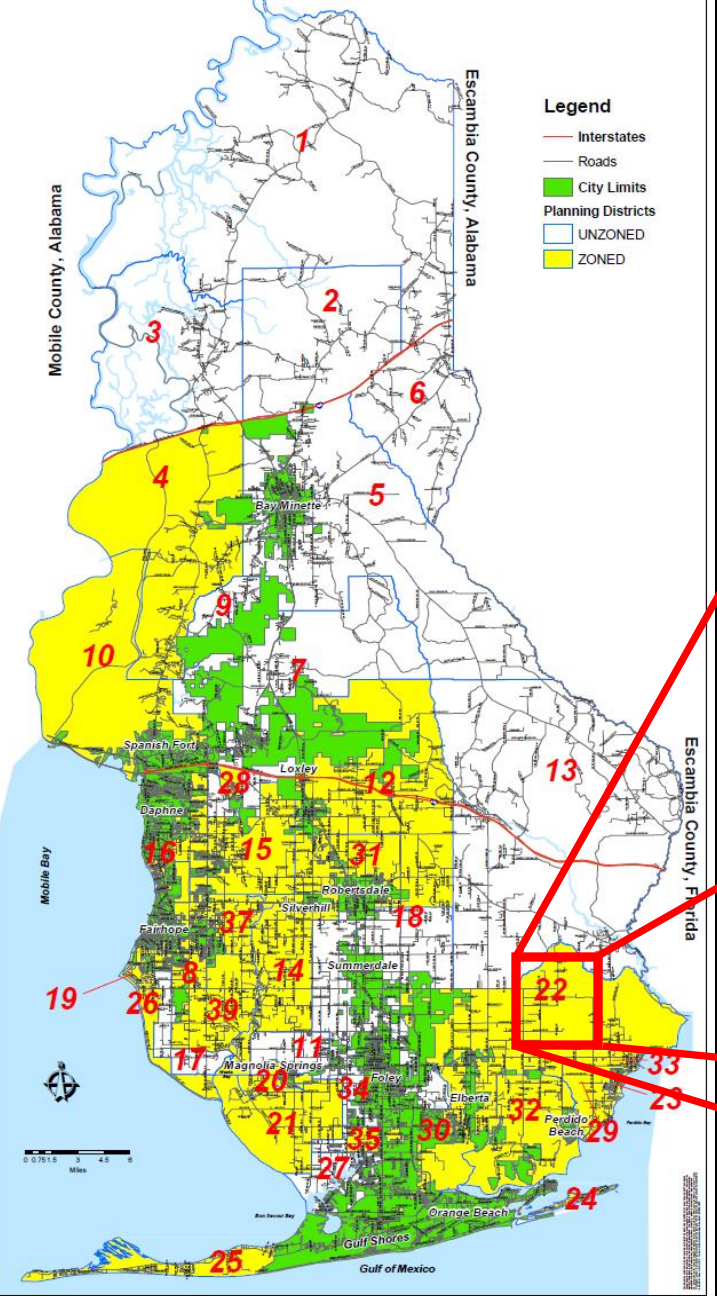
Proposed Zoning: RR, Rural District

Applicant's Request: The applicant would like to rezone from RA to RR to construct a wholesale warehouse distribution center for Panama Jack, and beach/resort products.

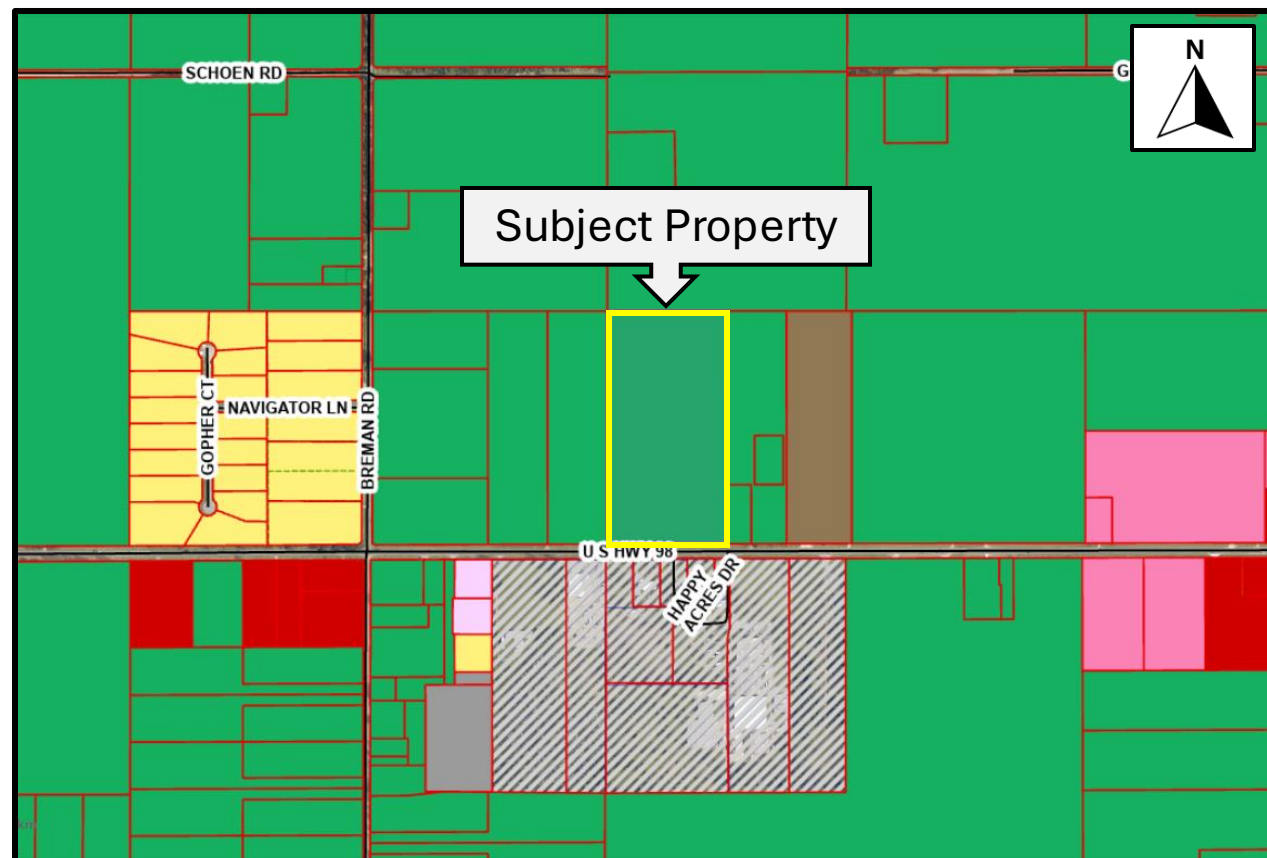
Online Case File Number: The official case number for this application is Z24-33, however, when searching the online CitizenServe database, please use Z24-000033.

Baldwin County, Alabama Planning Districts

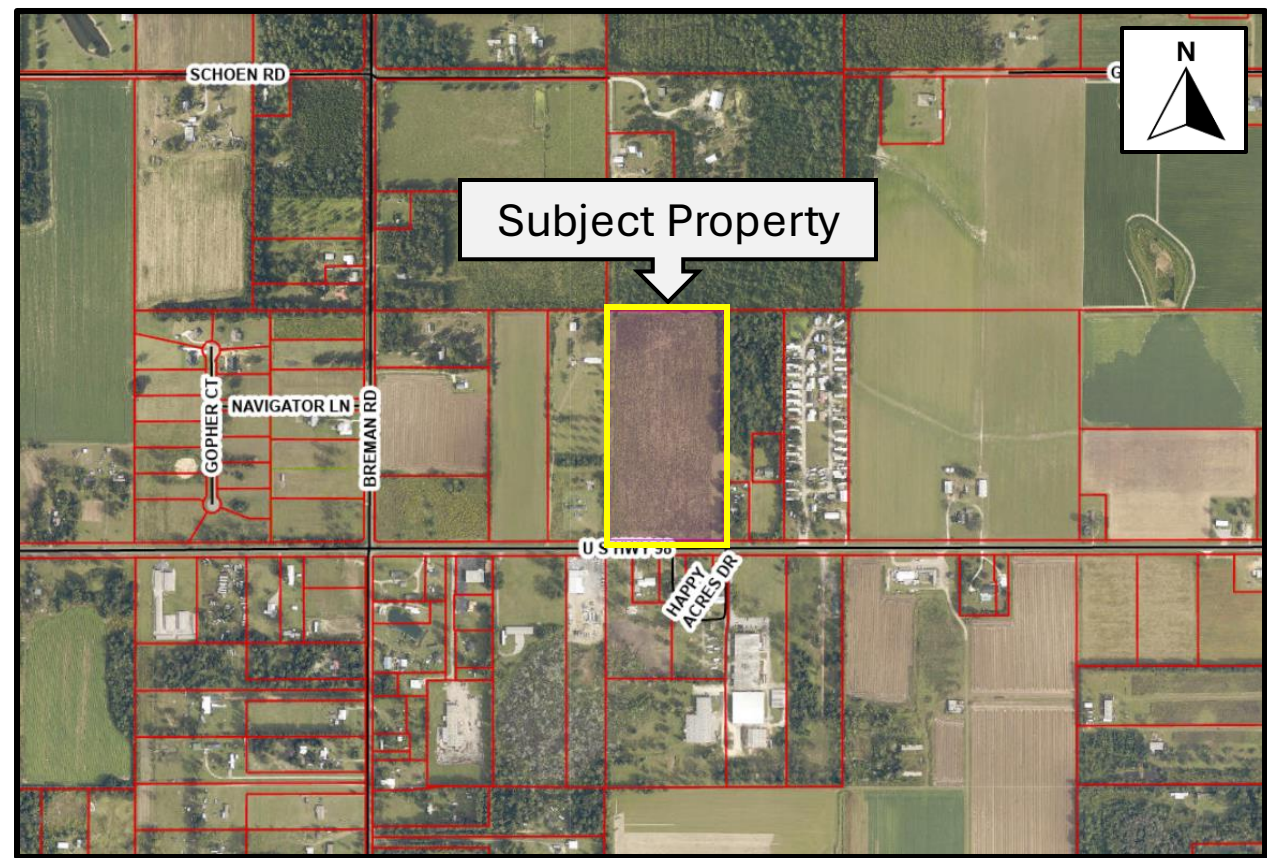
- Legend**
- Interstates
 - Roads
 - City Limits
 - Planning Districts
 - UNZONED
 - ZONED



Locator Map



Site Map



Adjacent Zoning

North	RA, Rural Agricultural District
South	M-1, Light Industrial District
East	RA, Rural Agricultural District
West	RA, Rural Agricultural District

Adjacent Land Use

North	Residential
South	Industrial
East	Residential
West	Residential

Subject Property
PIN: 107513

**REZONING
PROPOSED
FOR THIS PROPERTY**
Case Number
Z24-000033
For information Contact
Baldwin County Planning &
Zoning Department
(251) 580-1655

Adjoining Property to The North
PIN: 5227

Aug 1, 2024 12:03:04 PM
117° SE

Adjoining Property to The East
PIN: 46490

Aug 1, 2024 11:57

Adjoining Property to The West
PIN: 107512

Aug 1, 2024 11:52:
33

Adjoining Property to The South
PIN: 388032

Aug 1, 2024 11:49:47 A
166°

Z24-33 CHADWELL PROPERTY

RE-ZONING REQUEST FROM **RA** TO **RR**

Lead Staff: Cory Rhodes, Planner

Staff Recommendation: **Approval**

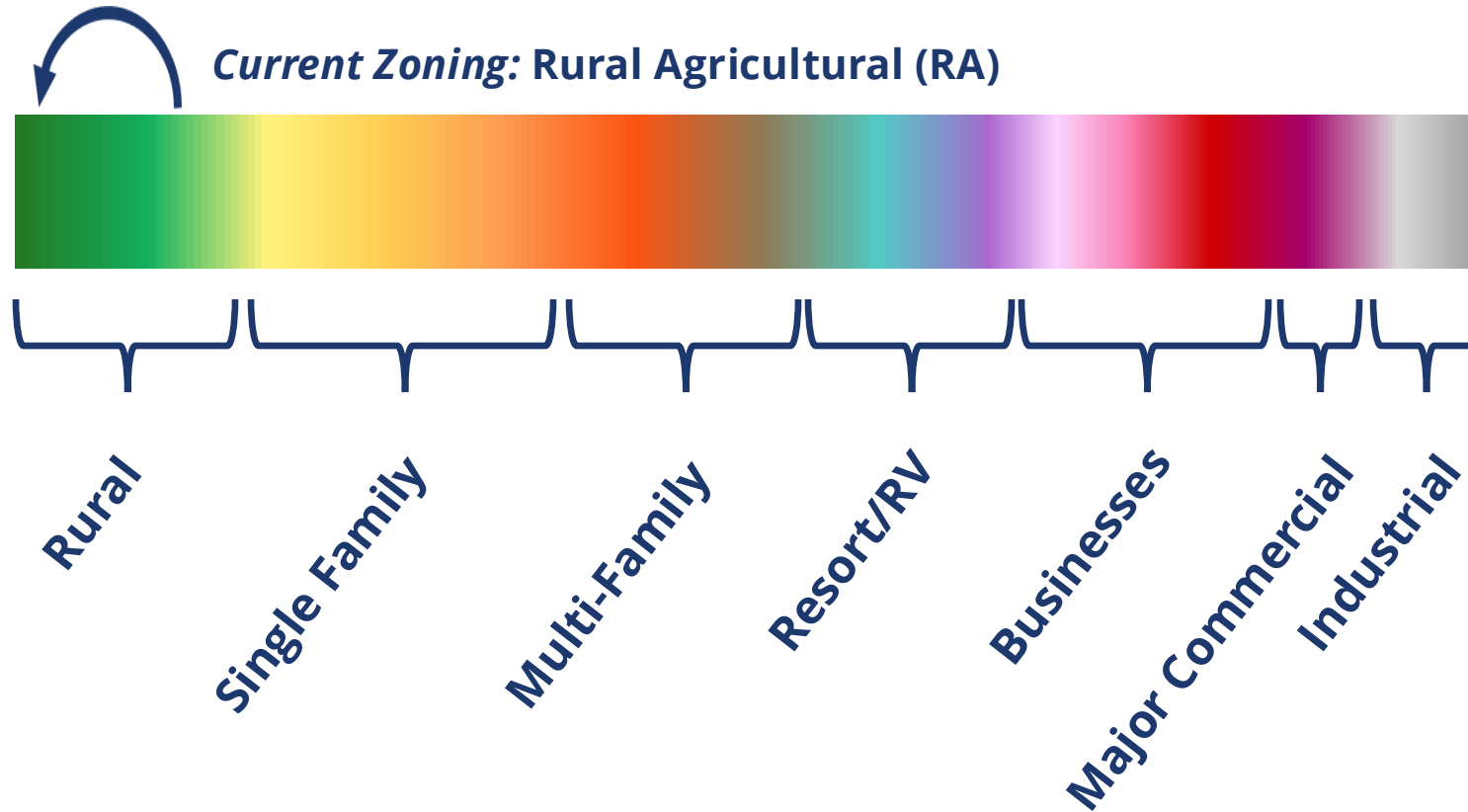
Planning Commission Recommendation: **Approval (7-0)**

Z24-33 CHADWELL PROPERTY

RE-ZONING REQUEST FROM RA TO RR

Lead Staff: Brittany Epling, Planning Technician II

Proposed Zoning: Rural District (RR)



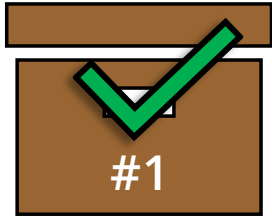
Staff's Recommendation:

Unless information to the contrary is revealed at the public hearing, staff feels the application should be recommended for **Approval**.*

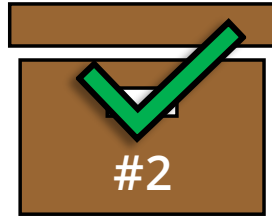
*On rezoning applications, the Planning Commission will be making a recommendation to the County Commission.

Factor Summary:

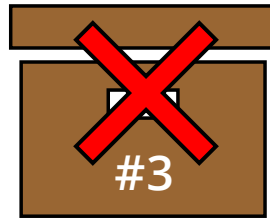
- Factors do not necessarily carry equal weight.
- Staff review is based on information provided by the applicant and other readily available information.



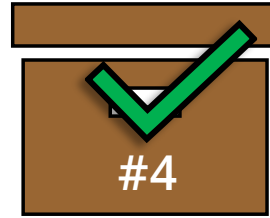
Compatible with development pattern?



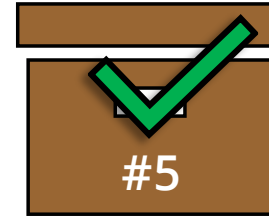
Change of conditions since originally zoned?



Proposal conform to Master Plan?



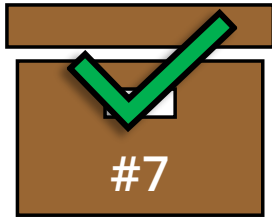
Conflicts with public improvements?



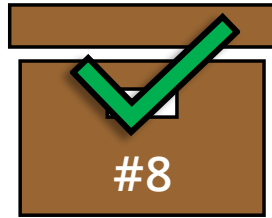
Adverse affect to traffic?



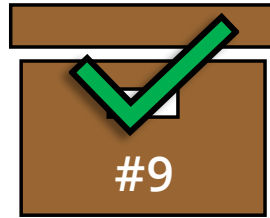
Consistent with development pattern?



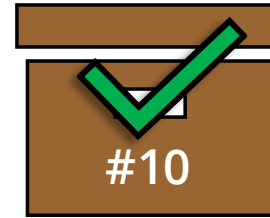
Logical expansion of adjacent zoning?



Timing appropriate given development trends?



Environmental or Historic impact?



Adverse impact on health, safety, & wellness?



Other appropriate matters?

Public Hearing:

Only credible information impacting one of the factors above will be considered by the Planning Commission.

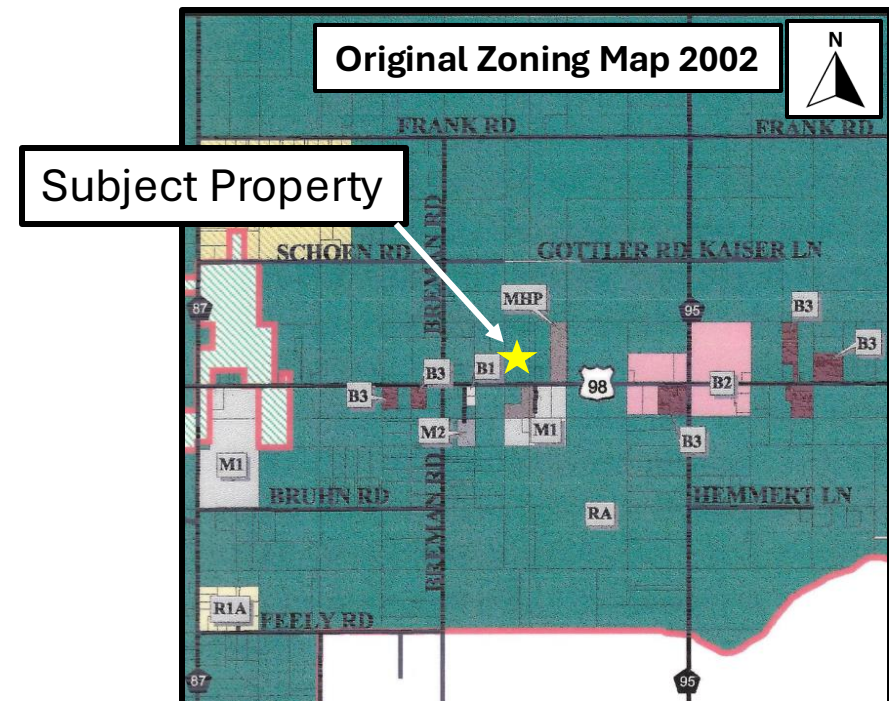
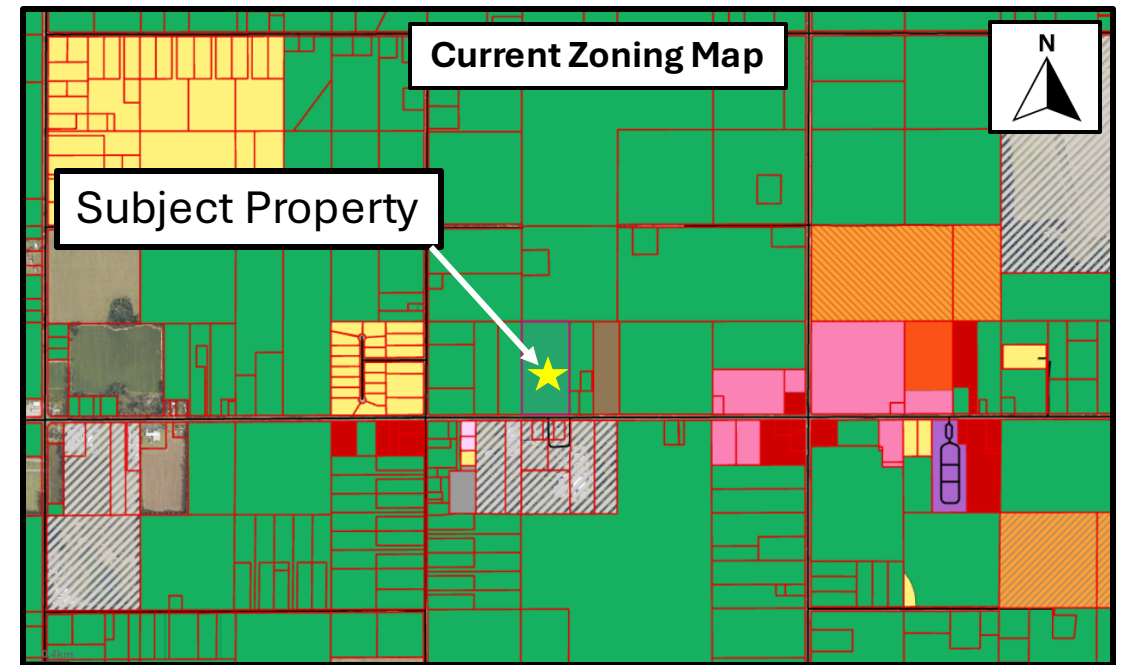
STAFF ANALYSIS

1.) Is the requested change compatible with the existing development pattern and the zoning of nearby properties?

The subject property is currently zoned RA, Rural Agricultural District and is vacant (previously agricultural use). Nearby parcels are zoned RA and M-1. The uses adjacent to the subject property are residential and light industrial. Staff feels that the requested change is compatible with the development pattern of the surrounding areas.

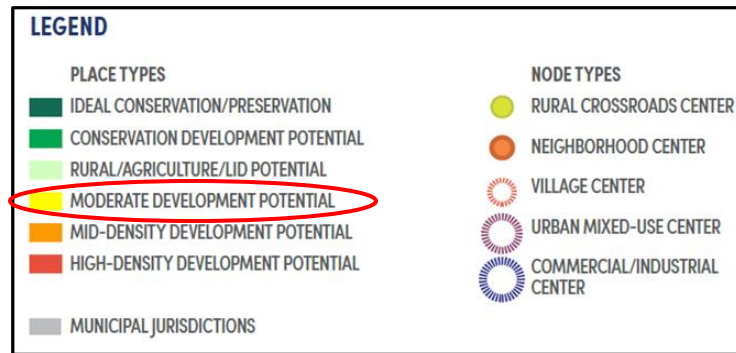
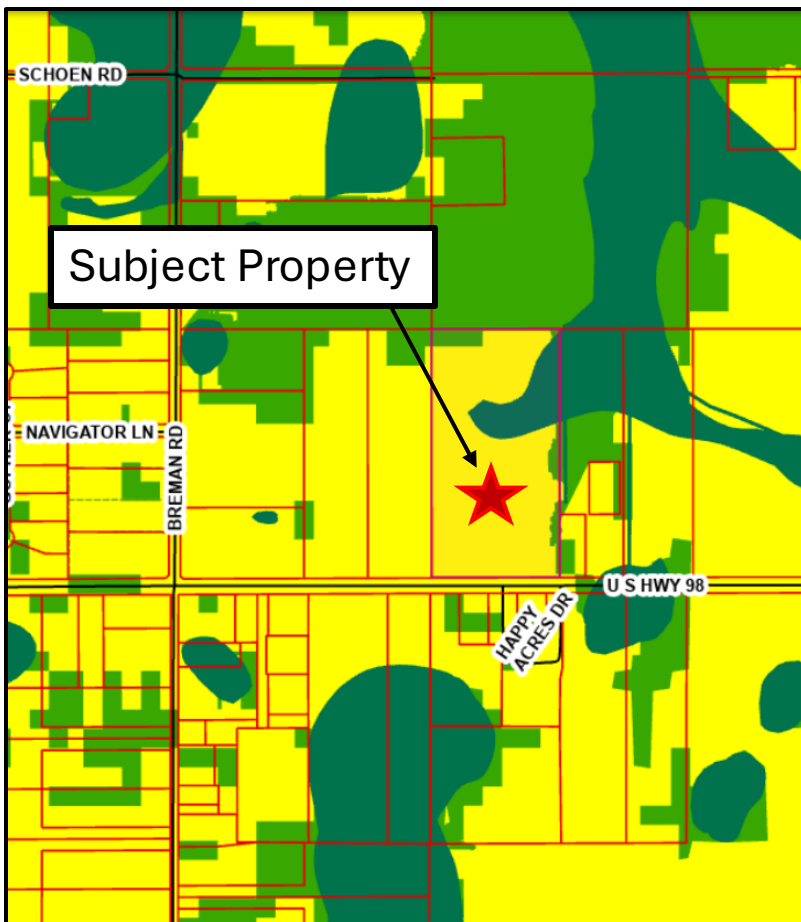
2.) Has there been a change in the conditions upon which the original zoning designation was based? Have land uses or conditions changed since the zoning was established?

Planning District 22 adopted a zoning map on November 19, 2002. Since this time there has been limited change in the immediate area, however, there have been a couple rezonings directly to the South of the subject property from RA to M-1 with light industrial developments.



3.) Does the proposed zoning better conform to the Master Plan?

The majority of the future land use on the FLUM (Future Land Use Map) for the subject property is Moderate Development Potential Areas. Moderate Development Potential Areas are suitable for all land uses described in the previous place types but may also include a variety of home types from large and medium-lot single-family detached homes to single-family attached homes such as duplexes and townhomes. Subdivision patterns may be amenity-based communities with small gardens, parks and playgrounds within private lots or part of a community space. Neighborhood centers or nodes at key intersections would allow for a combination of retail, office, and service uses to meet the needs of the community. The related zoning districts include RSF-1 and RSF-2.



MODERATE DEVELOPMENT POTENTIAL AREAS

Moderate Development Potential Areas are suitable for all of the land uses described in the previous place types but may also include a variety of home types from large and medium-lot single-family detached homes to single-family attached homes such as duplexes and townhomes. Subdivision patterns may be amenity-based communities with small gardens, parks and playgrounds within private lots or part of a community space. Neighborhood centers or nodes at key intersections would allow for a combination of retail, office, and service uses to meet the needs of the community.

PRIMARY LAND USES

- Single-family neighborhoods (suburban)
- Amenity-based communities
- Neighborhood center/node

RELATED ZONING DISTRICTS

- RSF-1 Single Family District
- RSF-2 Single Family District

CONNECTIVITY NETWORK

- Suburban street networks/limited use cul-de-sacs
- Open space, parks and amenities provided within neighborhoods
- Streets with sidewalks, bike lanes, and/or side paths based on local character and context
- Suburban greenways and trails




 **4.) Will the proposed change conflict with existing or planned public improvements?**

Staff is unaware of any planned public improvements.

 **5.) Will the proposed change adversely affect traffic patterns or congestion?**

Per the Federal Highway Administration, US Highway 98 is a Principle Arterial, which serve major centers of metropolitan areas, provide a high degree of mobility and can also provide mobility through rural areas. Staff does not perceive the proposed zoning and it's permitted use would adversely affect traffic patterns or congestion. **If a commercial use is proposed, a commercial turnout permit will be required and reviewed as a part of commission site plan approval.**

 **6.) Is the proposed amendment consistent with the development patterns in the area and appropriate for orderly development of the community?**

The proposed zoning (RR) allows for agricultural and single family uses, which is consistent with the adjacent development to the North, East, and West. In addition, **Rural zoning allows for conditional uses permissible by commission site plan approval. The conditional uses include light industrial uses, which is consistent with the development patterns to the South. The contemplated use (warehouse distribution center) is a light industrial use.**

 **7.) Is the proposed amendment the logical expansion of adjacent zoning districts?**

The permitted and conditional uses allowable in RR Zoning include residential and light industrial. **Staff believes this is a logical expansion to adjacent zoning and land uses.**

 **8.) Is the timing of the request appropriate given the development trends in the area?**

Staff believes there are **no conflicts** regarding the timing of this request.

 **9.) Will the proposed change adversely impact the environmental conditions of the vicinity or the historic resources of the County?**

Staff does not anticipate any adverse impacts on environmental conditions of the vicinity or the historic resources of the County with the proposed change. There is a small area of "potential wetlands" on the property which may require a delineation prior to site plan approval. If jurisdictional wetlands are identified, the 30' foot non-disturbed wetland buffer will be enforced.

 **10.) Will the proposed change adversely affect the health, safety and welfare of the County and the vicinity?**

Staff does not anticipate any adverse impacts to the health, safety and welfare of the County and the vicinity.

11.) Other matters which may be appropriate.

N/A

Agency Comments

Buford King on behalf of the Permit Engineer: The intended use is not known at this time however any commercial activities may require a Commercial Turnout Permit from the Alabama Department of Transportation (ALDOT). Any drainage improvements will be evaluated at the time of a future subdivision or Commission Site Plan (CSP) review.

Baldwin County Subdivision Department, Shawn Mitchell: “The parcel is not being subdivided at this time. If more than two businesses occupy the property, a PUD application will be required.”

USACE, Eric Buckelew: No Comments Received

ALDOT: No Comments Received

Current Zoning Requirements

Section 3.2 RA, Rural Agricultural District

3.2.1 *Generally.* This zoning district provides for large, open, unsubdivided land that is vacant or is being used for agricultural, forest or other rural purposes.

3.2.2 *Permitted uses.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses shall be permitted:

- (a) The following general industrial uses: extraction or removal of natural resources on or under land.
- (b) The following transportation, communication, and utility uses: water well (public or private).
- (c) Outdoor recreation uses.
- (d) The following general commercial uses: animal clinic and/or kennel; farm implement sales; farmers market/truck crops; nursery; landscape sales; country club.
- (e) The following local commercial uses: fruit and produce store.
- (f) The following institutional uses: church or similar religious facility; school (public or private).
- (g) Agricultural uses.
- (h) Single family dwellings including manufactured housing and mobile homes.
- (i) Accessory structures and uses.

3.2.3 *Special exceptions.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses may be allowed as special exceptions: Not Applicable

3.2.4 *Conditional Use Commission Site Plan Approval.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses may be allowed by the site plan approval process:

- (a) Transportation, communication, and utility uses not permitted by right.
- (b) Institutional uses not permitted by right.

(c) The following general commercial uses: low density recreational vehicle park (see *Section 13.8: Recreational Vehicle Parks*).

(d) The following local commercial uses: bed and breakfast or tourist home (see *Section 13.10: Bed and Breakfast Establishments*).

3.2.5 *Area and dimensional ordinances.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, *Section 12.4: Height Modifications*, *Section 12.5: Yard Requirements*, *Section 12.6: Coastal Areas*, *Section 12.8: Highway Construction Setbacks*, *Section 18.4 Variances*, and *Article 20: Nonconformities*, the area and dimensional ordinances set forth below shall be observed.

Minimum Front Yard	40-Feet
Minimum Rear Yard	40-Feet
Minimum Side Yards	15-Feet
Minimum Lot Area	3 Acres
Minimum Lot Width at Building Line	210-Feet
Minimum Lot Width at Street Line	210-Feet

3.2.6 *Area and dimensional modifications.* Within the RA district, area and dimensional requirements may be reduced, as set forth below, where property is divided among the following legally related family members: spouse, children, siblings, parents, grandparents, grandchildren, or step-related individuals of the same status.

Minimum Front Yard	30-Feet
Minimum Rear Yard	30-Feet
Minimum Side Yards	10-Feet
Minimum Lot Area	40,000 Square Feet
Minimum Lot Width at Building Line	120-Feet
Minimum Lot Width at Street Line	120-Feet

Proposed Zoning Requirements

Section 3.1 RR, Rural District

3.1.1 *Generally.* This zoning district is provided to accommodate the rural areas of Baldwin County. Rural District ordinances are designed to protect the rural character of the area.

3.1.2 *Permitted uses.* Except as provided by Section 2.3: *Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses shall be permitted:

- (a) The following general industrial uses: extraction or removal of natural resources on or under land.
- (b) The following transportation, communication, and utility uses: water well (public or private).
- (c) Marine recreation uses.
- (d) Outdoor recreation uses.
- (e) The following general commercial uses: animal clinic and/or kennels; farm implement sales; farmer's market/truck crops; nursery; landscape sales.
- (f) Local commercial uses.
- (g) Professional service and office uses.
- (h) The following institutional uses: church or similar religious facility; childcare center; childcare institution; day care home; fire station; library; post office; school (public or private).
- (i) Agricultural uses.
- (j) Single family dwellings including manufactured housing and mobile homes.
- (k) Accessory structures and uses.

3.1.3 *Special exceptions.* Except as provided by Section 2.3: *Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses may be allowed as special exceptions: Not applicable

3.1.4 *Conditional Use Commission Site Plan Approval.* Except as provided by Section 2.3: *Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses may be allowed by the Commission site plan approval process:

- (a) Transportation, communication, and utility uses not permitted by right.
- (b) Light industrial uses.
- (c) General commercial uses not permitted by right, except racetrack.
- (d) Institutional uses not permitted by right, except correctional, detention, or penal institution and sanitarium.
- (e) Boarding house, rooming house, lodging house, or dormitory.
- (f) Fraternity or sorority house.

3.1.5 *Area and dimensional ordinances.* Except as provided by Section 2.3: *Establishment of Zoning in Planning Districts*, Section 12.4: *Height Modifications*, Section 12.5: *Yard Requirements*, Section 12.6: *Coastal Areas*, Section 12.8: *Highway Construction Setbacks*, Section 18.4 *Variances*, and Article 20: *Nonconformities*, the area and dimensional ordinances set forth below shall be observed.

Maximum Height of Structure	35-feet
Minimum Front Yard	30-feet
Minimum Rear Yard	30-feet
Minimum Side Yards	10-feet
Minimum Lot Area	40,000 Square Feet
Minimum Lot Width at Building Line	120-feet
Minimum Lot Width at Street Line	120-feet

3.1.6 *Area and dimensional modifications.* Within the RR district, area and dimensional requirements may be reduced, as set forth below, where property is divided among the following legally related family members: spouse, children, siblings, parents, grandparents, grandchildren, or step-related individuals of the same status.

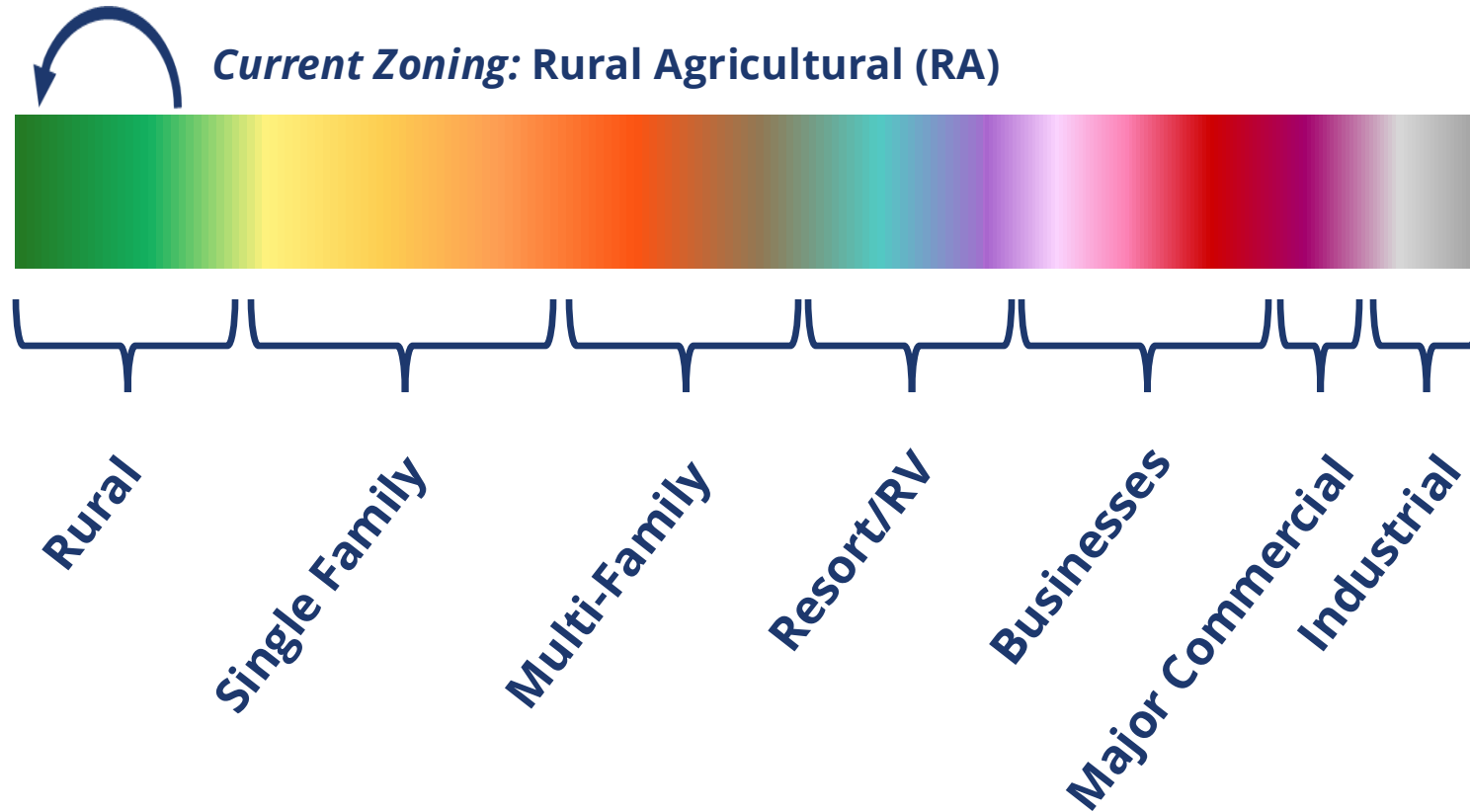
Minimum Front Yard	30-Feet
Minimum Rear Yard	30-Feet
Minimum Side Yards	10-Feet
Minimum Lot Area	20,000 Square Feet
Minimum Lot Width at Building Line	80-Feet
Minimum Lot Width at Street Line	80-Feet

Z24-33 CHADWELL PROPERTY

RE-ZONING REQUEST FROM RA TO RR

Lead Staff: Brittany Epling, Planning Technician II

Proposed Zoning: Rural District (RR)



Staff's Recommendation:

Unless information to the contrary is revealed at the public hearing, staff feels the application should be recommended for **Approval**.*

*On rezoning applications, the Planning Commission will be making a recommendation to the County Commission.