



**Case No./Name:** Z24-38 Dukes Property  
**Meeting Date:** October 3, 2024  
**Request:** Rezone from B-2 to B-3 to be compliant with current use  
**Recommendation:** Approve Z24-38

**Staff Lead:** Celena Boykin, Senior Planner

**Owner / Developer:** *Steve Dukes, 7231 River Rd., Bay Minette, AL 36507*

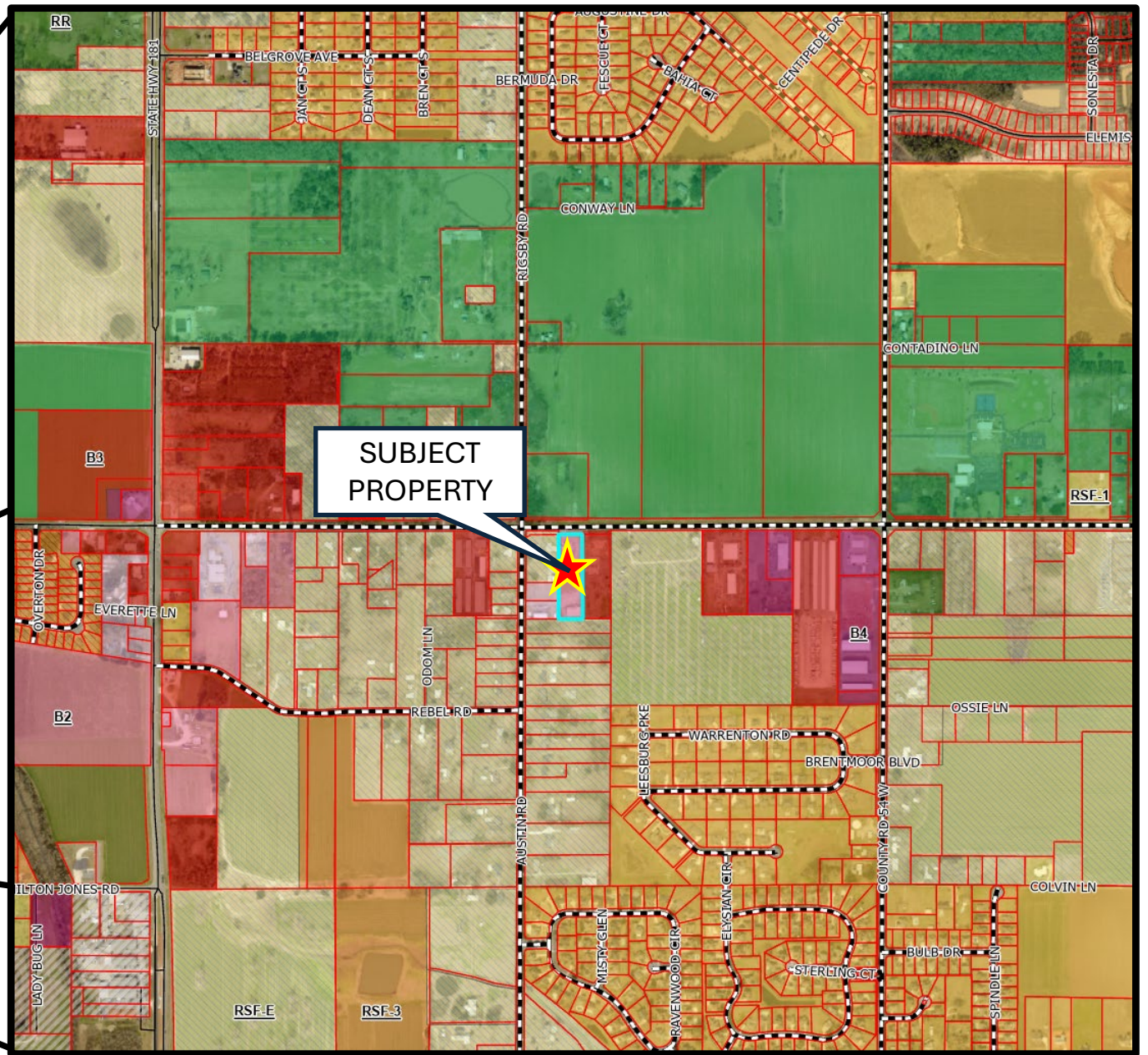
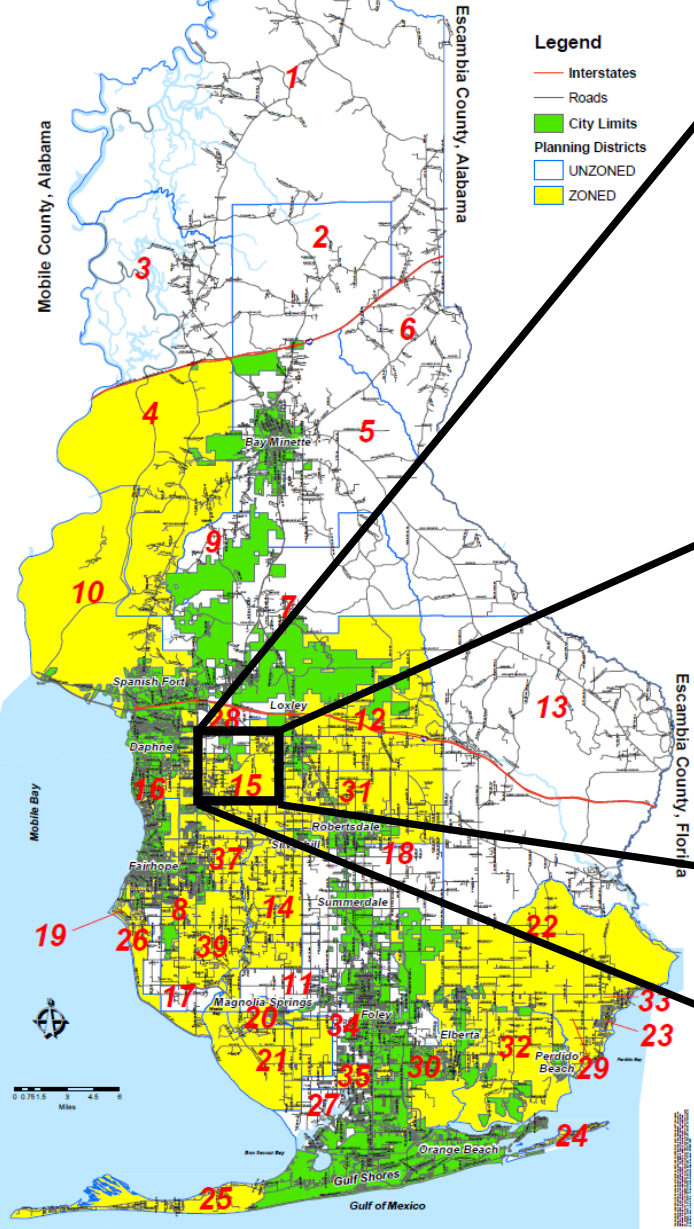
**Applicant:** Same

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>

# Baldwin County, Alabama Planning Districts

## Legend

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



**Location:** The subject property is located south of County Rd 64, east of Austin Rd.

**Planning District:** 15

**Zoning:** Current zoning: B2 Neighborhood Business  
Requested zoning: B3 General Business

**Parcel#:** 05-43-06-23-0-000-005.007 **PIN#:** 200403

**Total Acres:** 2.46 +/- acres

**Current Use:** Commercial

**Applicant's Request:** Property is rental property providing space for HVAC, generators, and other construction business. We would like to rezone to ensure the property is desirable to the type of businesses and industries like the current business.

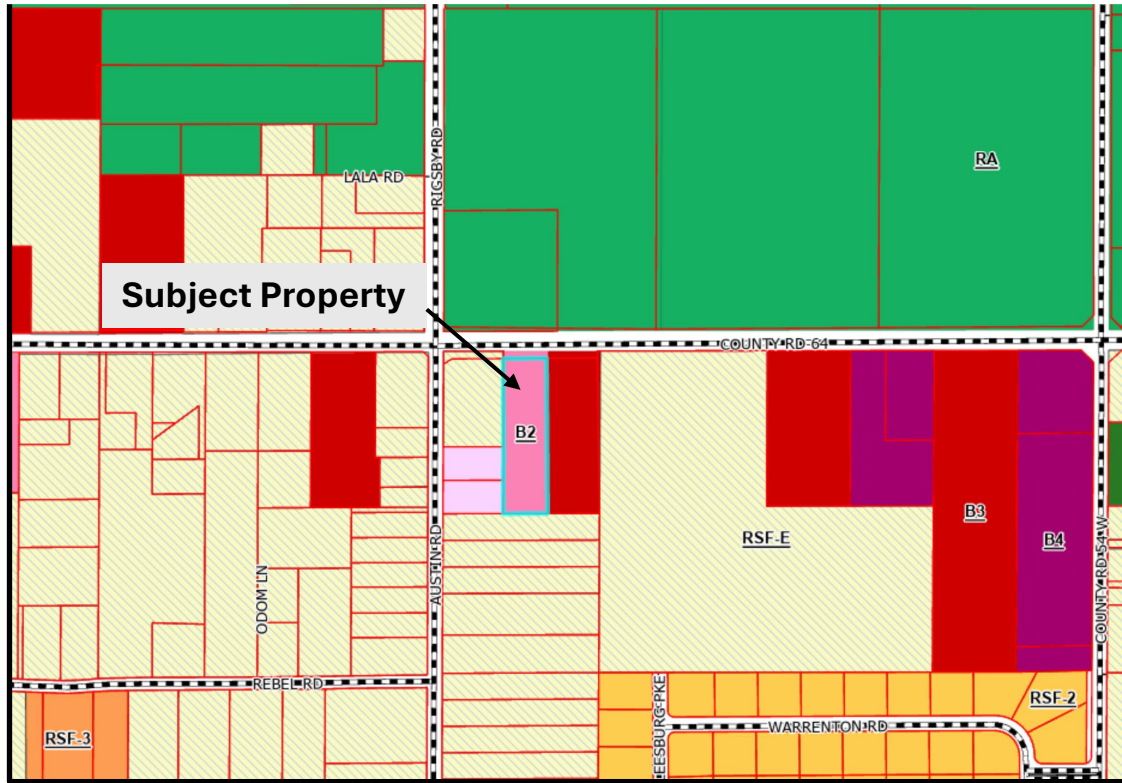
**Online Case File Number:** The case number is Z24-38. When searching online CitizenServe database, please use Z24-000038.



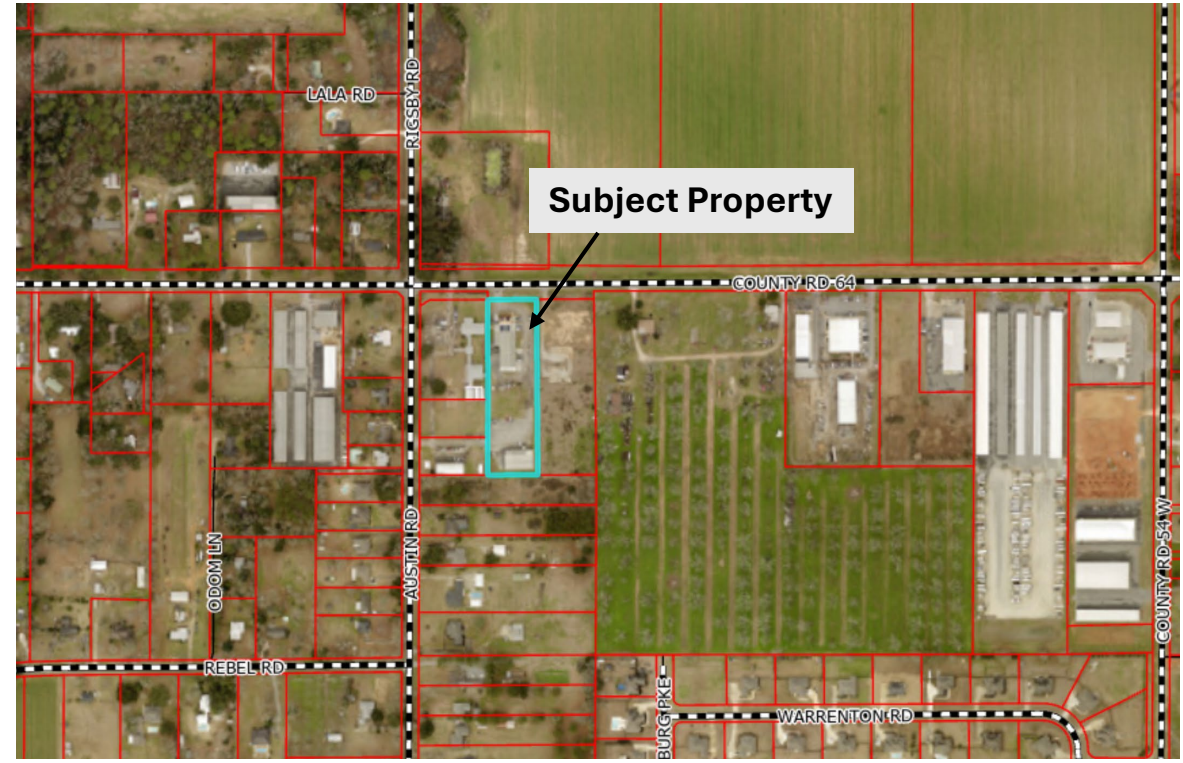
## **Agency Comments**

- **USACE, James Bucklelew:** Staff reached out 9/11/2024 but received no comments.
- **ADEM, Scott Brown:** Staff reached out 9/11/2024 but received no comments.
- **BCBE:** Staff reached out 9/11/2024 but received no comments.
- **Subdivisions, Shawn Mitchell:** A subdivision is not requested at this time. If the Applicant wishes to subdivide the property, Preliminary and Final Plat applications will be required..
- **Buford King on behalf of the Permit Engineer:** Staff's understanding is the requested re-zoning is not for any intended development activities at this time. Subject property appears to include a commercial turnout with double RCP culvert pipes and sloped, paved headwalls likely required at the time of site development. Staff memorializes there appears to be two units on the property and any efforts to add a third unit will trigger a PUD. Staff further memorializes that CR64 is a minor arterial roadway and any future development may be affected by the Access Management Plan currently under development by the Baldwin County Highway Department. Further, any change of use or additional development on the site may trigger a Commission Site Plan approval (CSP).

# Locator Map



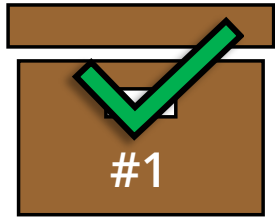
# Site Map



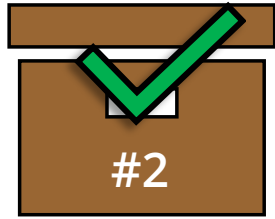
|       | Adjacent Zoning   | Adjacent Land Use     |
|-------|---|-----------------------|
| North | RA- Rural Agriculture                                     | Agriculture           |
| South | RSF-E – Single Family Estate                              | Vacant                |
| East  | B3- General Business                                      | Vacant                |
| West  | RSF-E – Single Family Estate<br>B1- Professional Business | Church and Commercial |

## Factor Summary:

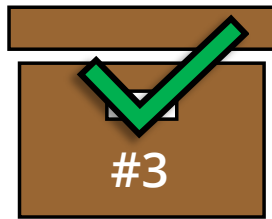
- Factors do not necessarily carry equal weight.
- Staff review is based on information provided by the applicant and other readily available information.



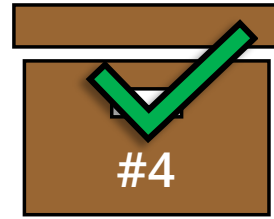
Compatible with development pattern?



Change of conditions since originally zoned?



Proposal conform to Master Plan?



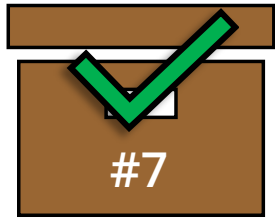
Conflicts with public improvements?



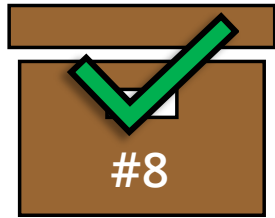
Adverse affect to traffic?



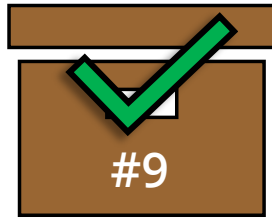
Consistent with development pattern?



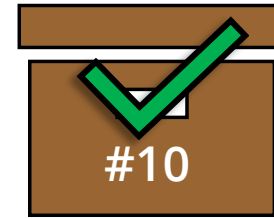
Logical expansion of adjacent zoning?



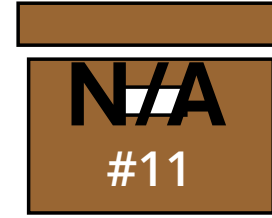
Timing appropriate given development trends?



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 B2, Neighborhood Business District. Adjacent parcels are zoned RA, RSF-E, B2 and B3. The uses adjacent to the subject property are agricultural and commercial.

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 15 adopted a zoning map on August 1, 2006. Since this time there have been multiple commercial rezonings along this area of County Rd 64.

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

Yes, the subject property falls within an Urban Mixed- Use Center. The Urban Mixed-Use Center's primary land uses include commercial center, office and other employment uses with the related zoning district of B-3.

## URBAN MIXED-USE CENTER

### PRIMARY LAND USES

- High-density mixed use—lofts and studio units above commercial space
- Multi-family homes—apartments, condominiums
- Regional and small scaled retail shops and sit-down restaurants
- Commercial centers, office and other employment uses
- Civic uses—government offices, courthouses, libraries, schools, etc.
- Churches
- Hotel
- Small parks and playgrounds



### RELATED ZONING DISTRICTS

- B-1 Professional Business District
- B-2 Neighborhood Business District
- B-3 General Business District
- RMF-6 Residential Multifamily District
- HDR High Density Residential District

### CONNECTIVITY NETWORK

- Urban block patterns and sizes—highly pedestrian
- Parking management solutions
- Parking in rear of buildings
- Multimodal—supports vehicles, bicycles, and pedestrians—streets with narrow traffic lanes, sidewalks, and bike lanes
- Suburban greenways and multi-use path connections

### LEGEND

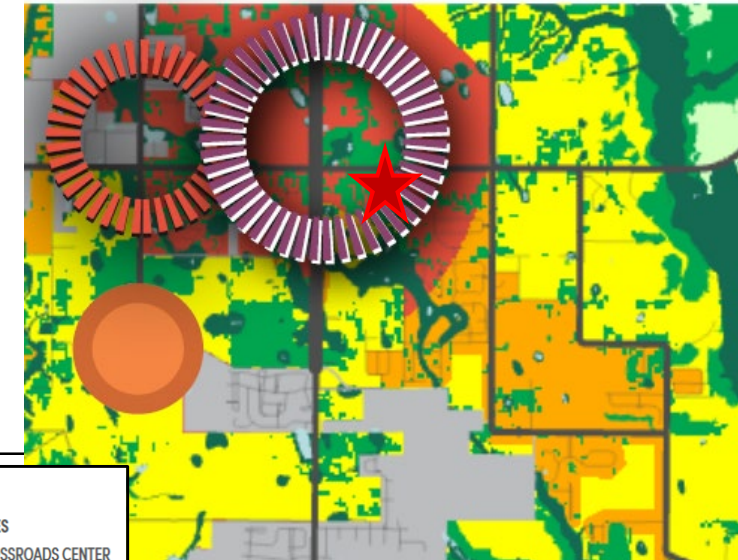
#### PLACE TYPES

- IDEAL CONSERVATION/PRESERVATION
- CONSERVATION DEVELOPMENT POTENTIAL
- RURAL/AGRICULTURE/LID POTENTIAL
- MODERATE DEVELOPMENT POTENTIAL
- MID-DENSITY DEVELOPMENT POTENTIAL
- HIGH-DENSITY DEVELOPMENT POTENTIAL

■ MUNICIPAL JURISDICTIONS

#### NODE TYPES

- RURAL CROSSROADS CENTER
- NEIGHBORHOOD CENTER
- VILLAGE CENTER
- URBAN MIXED-USE CENTER
- COMMERCIAL/INDUSTRIAL CENTER



**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, the functional classification of County Road 64 is minor arterial. Arterials provide a high level of mobility and a greater degree of access control

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

&

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

The purpose of B-3 is to provide for a variety of retail uses and services in free-standing parcels or shopping centers to serve the community's general commercial needs. This district shall only be applied at appropriate locations: to conveniently meet these needs; in conformance with the goals, objectives and policies and location criteria of the Comprehensive Plan; compatible with the surrounding land uses and zoning districts; where it will not adversely impact the facilities and services of the County; where it will not set a precedent for the introduction of inappropriate uses into an area; and so as not to encourage non-residential strip development along streets. 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 timing is not a factor for 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.

**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**

**REZONING Staff's Recommendation:**

**Z24-38 RE-ZONING REQUEST FROM B2 TO B3**

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.

