

STATE OF ALABAMA

COUNTY OF BALDWIN

RESOLUTION # 2024-167

DETERMINATION OF THE BALDWIN COUNTY COMMISSION, REGARDING **CASE No. PRD24-000006 Bear's Creek (PRD) Site Plan** SUCH DETERMINATION AS AUTHORIZED PURSUANT TO SECTION 45-2-261 THROUGH SECTION 45-2-261.18, CODE OF ALABAMA (1975).

WHEREAS, KAD Properties LLC has petitioned the Baldwin County Commission to rezone certain property, in Planning (Zoning) District No. 22, for property identified herein and described as follows:

59 AC(C) THE S1/2 OF THE NW 1/4 SEC 20 LESS & EXCEPT PREVIOUSLY DEEDED PARCELS WITHIN THE N1/2 & THE 18+/- ACRES ALG THE SW BORDER OF THE S1/2 SEC 20-T7S-R5E

Otherwise known as tax parcel number, **05-53-04-20-0-000-002.004** as found in the office of the Revenue Commissioner of Baldwin County, Alabama; and

WHEREAS, the petitioner has requested a Planned Residential Development (PRD) Site Plan Approval for a residential development; and

WHEREAS, the Baldwin County Planning and Zoning Commission held a public hearing on August 1, 2024 and voted to recommend **Denial** of the PRD request; and

WHEREAS, the Baldwin County Commission held a public hearing on September 17, 2024; and

WHEREAS, the requirements of SECTION 45-2-261 THROUGH SECTION 45-2-261.18, CODE OF ALABAMA (1975), regarding procedures to consider this rezoning request, which would affect the Planning (Zoning) District Boundary designations of the Planning (Zoning) District No. 22 Official Map, have been met; now therefore

BE IT RESOLVED, BY THE BALDWIN COUNTY COMMISSION, IN REGULAR SESSION ASSEMBLED, That the petitioner's request for Planned Residential Development (PRD) Site Plan Approval (Case No. PRD24-000006, as herein identified and described and as found within the confines of Planning (Zoning) District No.22 which amends the Planning (Zoning) District Boundary designations of the Planning (Zoning) District No. 22 Official Map, is hereby **APPROVED with the following conditions**:

1. Approval of the rezoning request from RA to RSF-2.
2. During construction plan review, if the detention ponds must be enlarged, the area of open space shown on this site plan must be maintained.
3. If USAGE permits for wetland fill are denied and only one subdivision entrance is provided, the number of lots must be reduced to 50.
4. The Traffic Impact Study shall be conducted while public and private schools that will serve the proposed development are in session.
5. Details for all amenities must be submitted during preliminary plat review.
6. Fire flow must meet ISO requirements for home spacing (1000+ gmp at 20 psi for spacing between 11-20 feet). If building setbacks must be increased, the amount of open space reflected on the site plan must be maintained.
7. Work with Planning and Zoning staff to have a cut through road.
8. Add an access to the open space area in the northeast corner of the development.
9. Work with the School Board to have a bus stop within the proposed development.

DONE, Under the Seal of the County Commission of Baldwin County, Alabama, on this the 17th day of September 2024.

Billie Jo Underwood

Commissioner Billie Jo Underwood, Chairman

ATTEST

Roger H. Rendleman

Roger H. Rendleman, County Administrator

