

Case No./Name: Z24-34 Renfroe Property

Meeting Date: September 5, 2024

Request: Rezoning request from **B-1**, Professional Business District, to **B-2**, Neighborhood Business District

Recommendation: **APPROVAL**

Staff Lead: Calla McKenzie

Owner/Developer: Ben Renfroe, 224 Northcliffe Dr., Gulf Breeze, FL 32561

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>

Planning District: 37

Parcel#: 05-46-06-14-0-000-001.542

PIN#:14826

Zoned: B-1, Professional Business District

Location: The subject property is located east of State Highway 181, north of County Rd 48 and south of Gayfer Rd Ext.

Current Use: Commercial – The existing building is currently unoccupied.

Acreage: +/- 2 acres

Applicant/Owner: Ben Renfroe

Proposed Zoning: B-2, Neighborhood Business District

Applicant's Request: The applicant would like to rezone the property from B-1 to B-2 to convert the existing building into an Antique Store.

Online Case File Number: The official case number for this application is Z24-34, however, when searching the online CitizenServe database, please use Z24-000034.

Baldwin County, Alabama Planning Districts

Legend

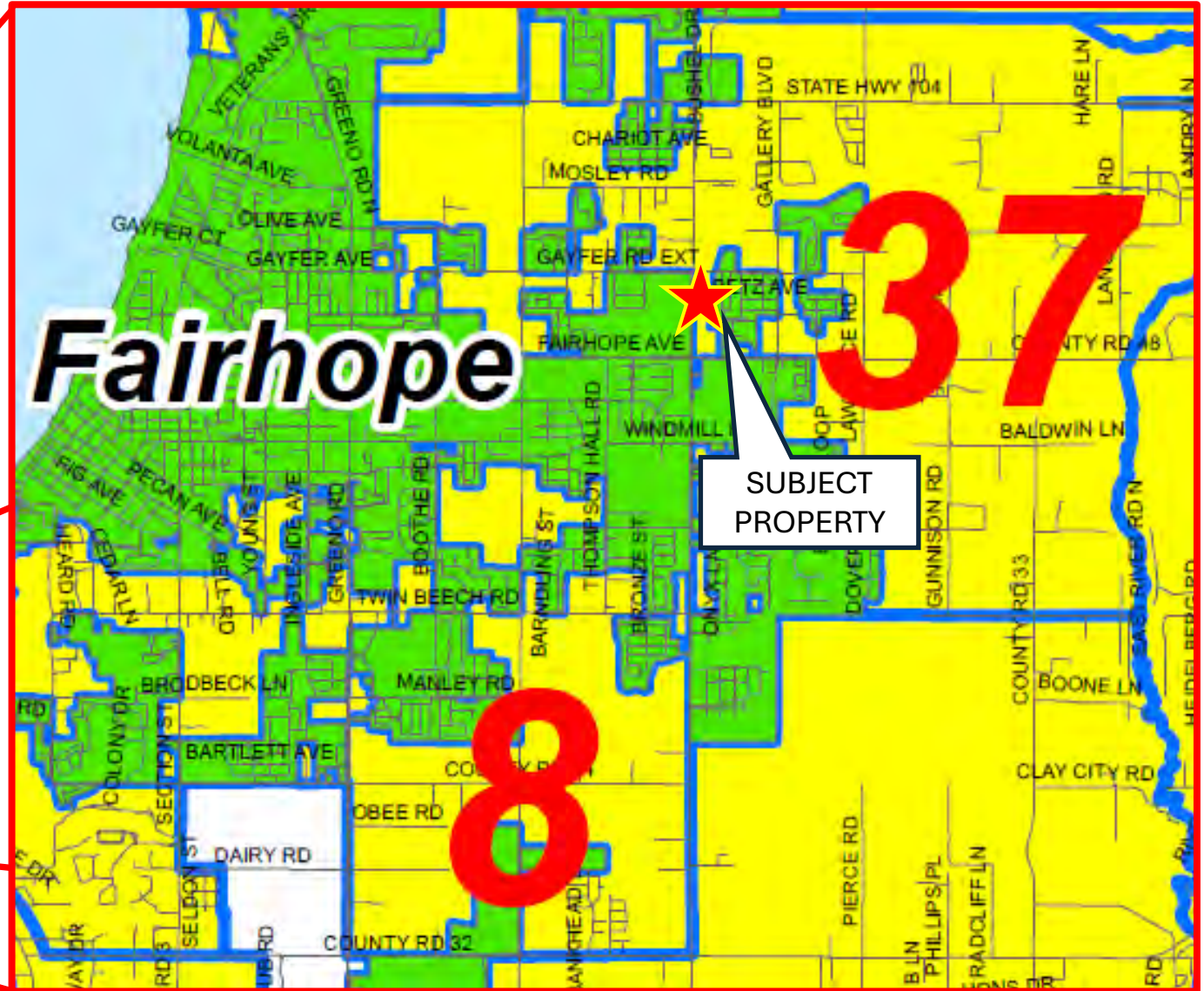
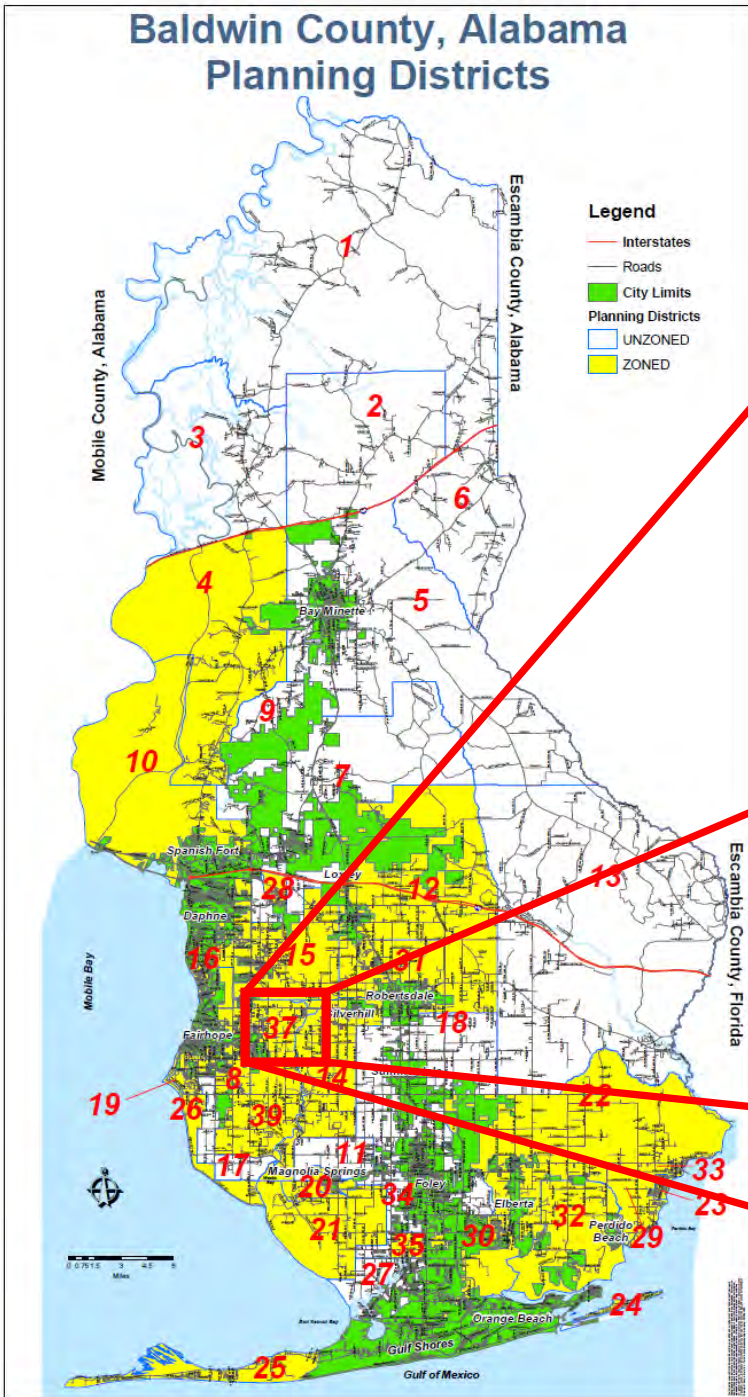
- Interstates
- Roads
- City Limits
- Planning Districts
- UNZONED
- ZONED

Fairhope

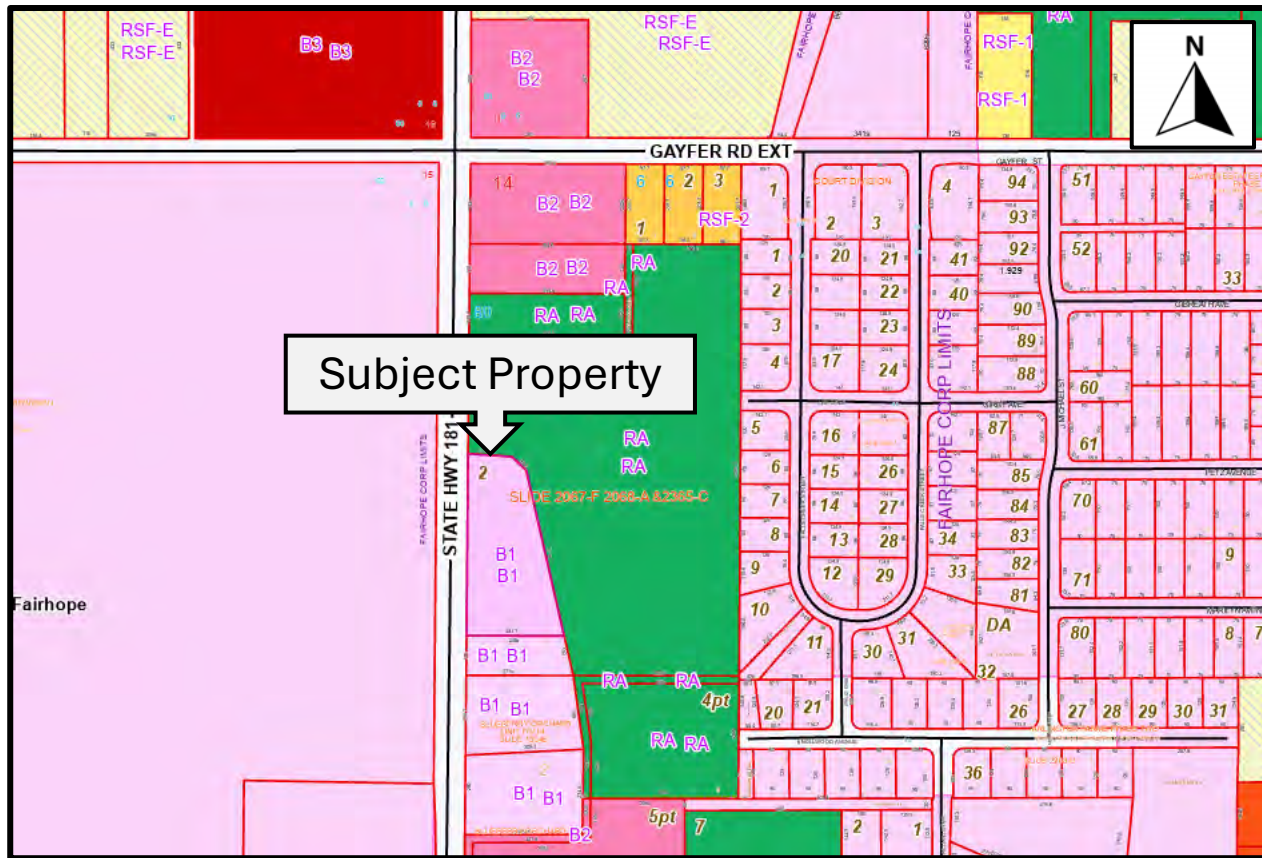
37

8

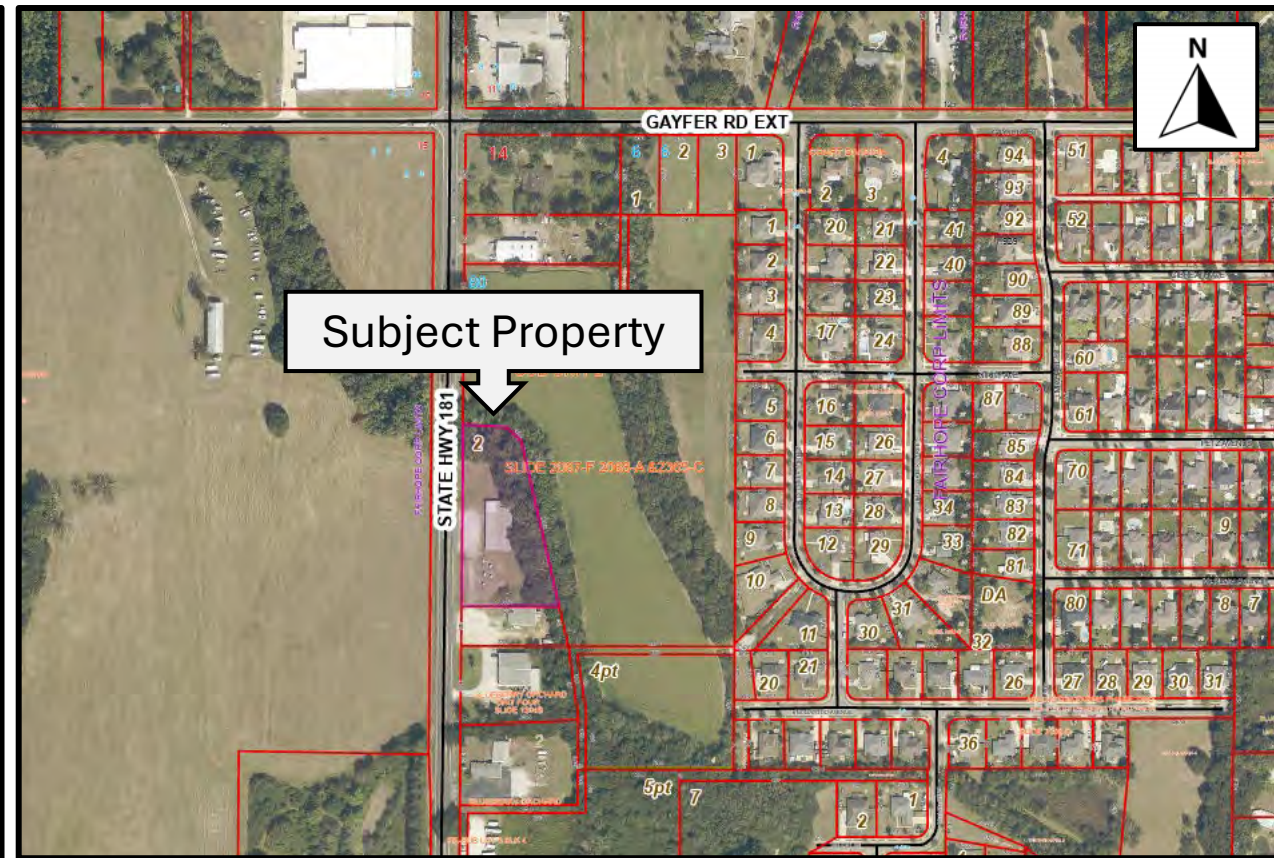
SUBJECT
PROPERTY



Locator Map



Site Map



	Adjacent Zoning	Adjacent Land Use
North	RA, Rural Agricultural District	Agricultural
South	B-1, Professional Business District	Commercial
East	City of Fairhope	Agricultural
West	RA, Rural Agricultural District	Agricultural



Subject
Property

PIN: 11126



**PROPOSED REZONING
FOR THIS PROPERTY**
Case Number
Z24-000034
*For Information Contact
Baldwin County Planning &
Zoning Department*
(251)580-1655 / (251)990-4623
(251)972-8523



Adjoining Property
to The North and
East

PIN: 211344

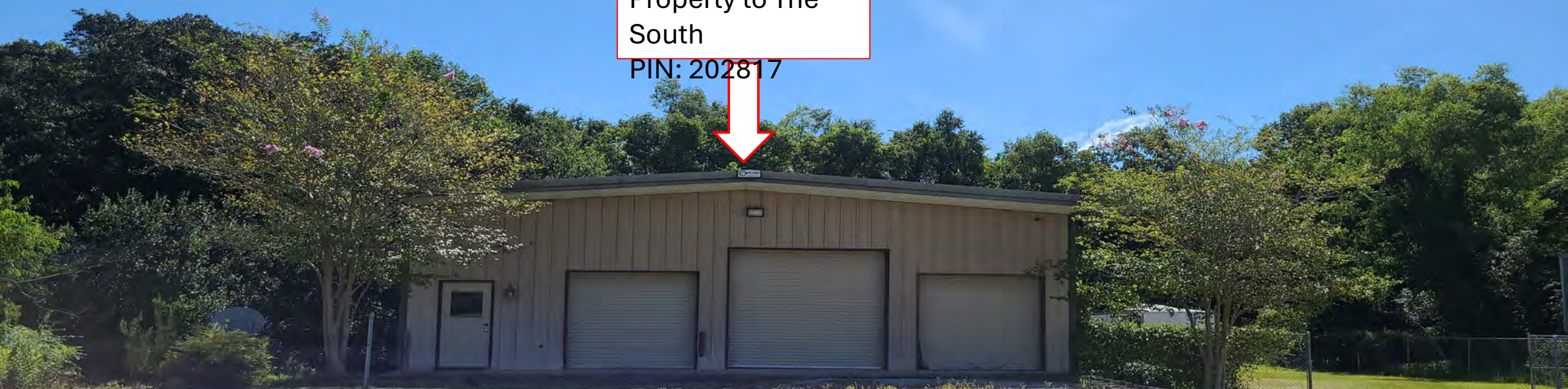


Aug 5, 2024 10:55:32 AM
132° SE



Adjoining
Property to The
South

PIN: 202817



Aug 5, 2024 10:51:02 AM
96° E



Property to
The West
PIN: 236701



Aug 5, 2024 10:48:06 AM
276° W

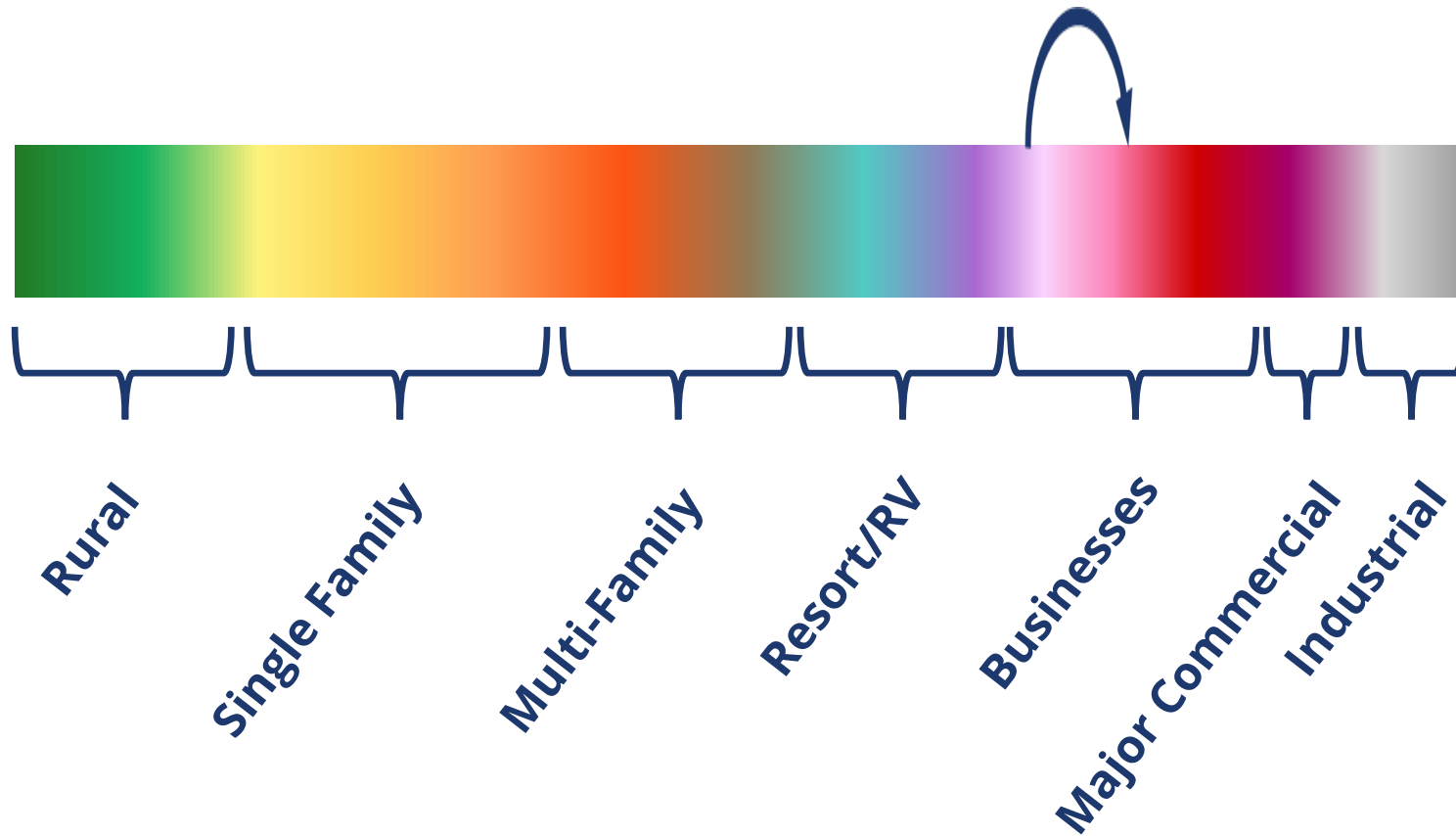
Z24-34 RENFROE PROPERTY

RE-ZONING REQUEST FROM **B-1** TO **B-2**

Lead Staff: Calla McKenzie, Planning Technician II

Current Zoning:
Professional Business (B-1)

Proposed Zoning:
Neighborhood Business (B-2)



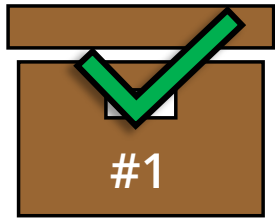
Staff's Recommendation:

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

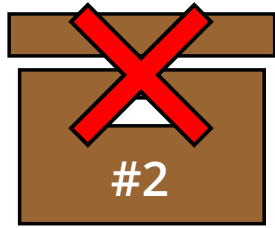
*On rezoning applications, the Planning Commission will be making a recommendation to the County Commission.

Factor Summary:

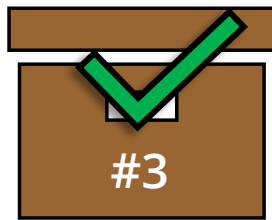
- Factors do not necessarily carry equal weight.
- Staff review is based on information provided by the applicant and other readily available information.



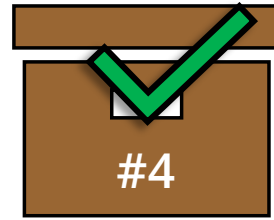
Compatible with development pattern?



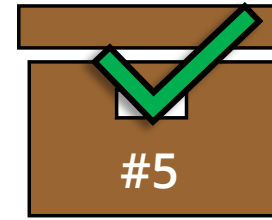
Change of conditions since originally zoned?



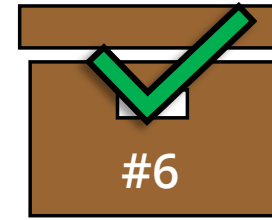
Proposal conform to Master Plan?



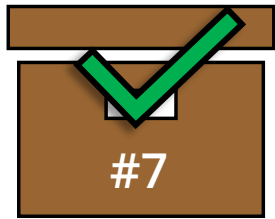
Conflicts with public improvements?



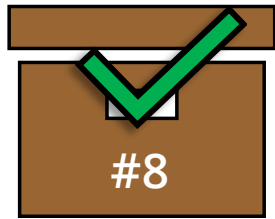
Adverse affect to traffic?



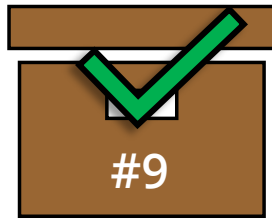
Consistent with development pattern?



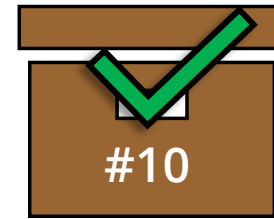
Logical expansion of adjacent zoning?



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 B-1, Professional Business District. Nearby parcels are zoned RA and B-1. The uses adjacent to the subject property are agricultural and commercial. The parcel that is to the west of the subject property, in the City of Fairhope, is currently agricultural. Majority of the properties along this portion of the west side of State Highway 181 are zoned and/or used for commercial purpose. Therefore, staff feels that the requested change is compatible with the development pattern of the surrounding areas.

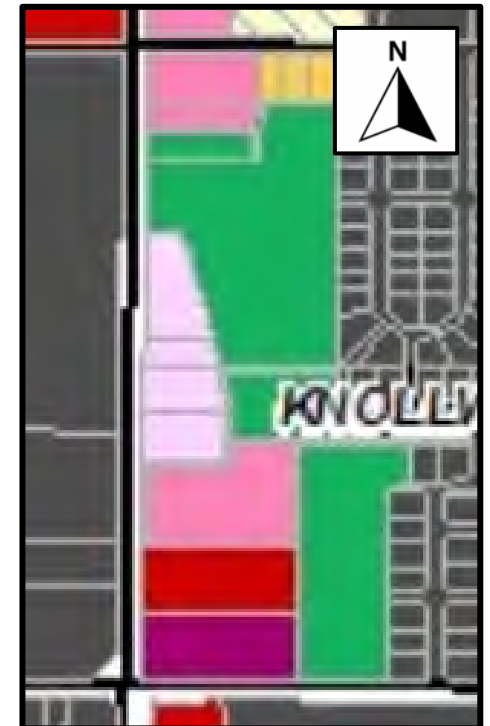
2.) Has there been a change in the conditions upon which the original zoning designation was based? Have land uses or conditions changed since the zoning was established?

Planning District 37 adopted a zoning map on July 18, 2022. Since this area was zoned, there have been no rezonings or land use changes in this immediate area.

Current Zoning Map



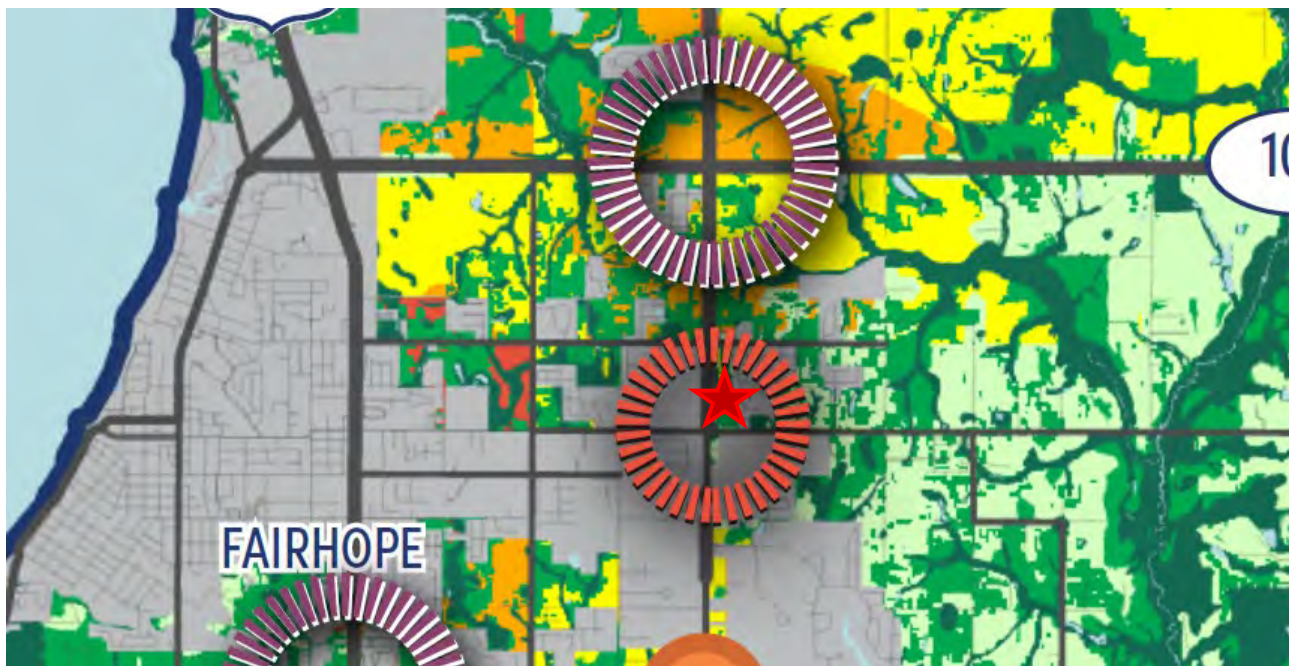
Original Zoning Map 2022





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

The property is located within a Village Center node. Nodes can help meet the needs of the community with a mix of retail and service uses scaled to the appropriate context of the place type they are located within. Subdivision patterns may be small traditional neighborhoods, townhomes and duplexes with small parks and playgrounds. Primary Land uses are Grocery-anchored retail, including small-scale shops, sit-down restaurants, and local serving businesses. The related zoning districts include B-2



VILLAGE CENTER

PRIMARY LAND USES

- Grocery-anchored retail, including small-scale shops, sit-down restaurants, and local serving businesses—e.g. drug stores, dry cleaners, and banks
- Small office and other employment uses
- Civic uses—e.g. libraries and schools
- Churches
- Small traditional neighborhoods, townhomes and duplexes
- Small parks and playgrounds

RELATED ZONING DISTRICTS

- B-2 Neighborhood Business District

CONNECTIVITY NETWORK

- Urban block pattern and sizes
- Parking in rear of buildings
- Multimodal—supports vehicles, bicycles, and pedestrians—streets with narrow traffic lanes, sidewalks, and bike lanes
- Suburban greenways and trail connections




 **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 181 is a Minor Arterial, which are used for moderate-distance trips to connect smaller cities and towns to each other and to principal arterial roads. Staff does not perceive the proposed zoning and its 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 (B-2) allows limited commercial convenience facility, servicing nearby residential neighborhoods, planned and developed as an integral unit. This consistent with the adjacent development.

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

The permitted and conditional uses allowable in B-2 Zoning include limited commercial uses. **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

Current Zoning Requirements

Article 5 Commercial Districts

Section 5.1 B-1, Professional Business District

5.1.1 *Purpose and intent.* The B-1, Professional Business and Office District, is intended to allow a concentration of office type buildings and land uses that are most compatible with, and located near, residential areas. Most B-1 commercial, professional and business office districts will be placed in close proximity to residential areas, and therefore serve as a transitional zoning district between residential areas and higher intensity commercial zoning districts. The types of office uses permitted are those that do not have high traffic volumes throughout the day, which extend into the evening hours. They will have morning and evening short-term peak conditions. The market support for these office uses should be those with a localized basis of market support as opposed to office functions requiring inter-jurisdictional and regional market support. Because office functions have significant employment characteristics, which are compounded when aggregations occur, certain personal service uses shall be permitted, to provide a convenience to office-based employment. Such convenience commercial uses shall be made an integral part of an office building as opposed to the singular use of a building.

5.1.2 *Permitted uses.* The following uses are permitted as of right, or as uses accessory to permitted uses in the B-1, Professional Business and Office District, conditioned on the Commission Site Plan Approval requirements of *Section 18.9*:

- | | |
|---|--|
| (a) Accessory structures and use | (j) Fire station |
| (b) Bank | (k) Laboratory (scientific, medical, or dental) |
| (c) Barber shop or beauty parlor | (l) Library |
| (d) Childcare center | (m) Office |
| (e) Childcare institution | (n) Optician |
| (f) Church or similar religious facility | (o) Police station |
| (g) Clinic or dentist office (medical, dental, psychiatric) | (p) Post office |
| (h) Club or lodge | (q) School (public or private) |
| (i) Extraction or removal of natural resources on or under land | (r) Silviculture |
| | (s) Studio for dance, music, photography, painting |
| | (t) Water well (public or private) |

5.1.3 *Conditional Use Commission Site Plan Approval.* The following uses are permissible as Commission Site Plan Approval uses in the B-1 Commercial Professional and Business Office District, subject to the standards and procedures established in *Section 18.9: Commission Site Plan Approval*:

- | | |
|-----------------------------|---|
| (a) Arboretum | (h) Dwellings, in combination with commercial uses, subject to the standards listed under Section 5.1.4: Mixed uses |
| (b) Swimming pool (outdoor) | |
| (c) Ball field | |
| (d) Tennis court (outdoor) | |
| (e) Golf course | (i) Riding academy |
| (f) Wildlife sanctuary | |
| (g) Park or playground | |

5.1.4 *Mixed uses.* Mixed residential and commercial uses may be permissible as Commission Site Plan Approval uses in the (B-1) commercial professional and Business office district, subject to the standards and procedures established in *Section 18.9: Commission Site Plan Approval*, and subject to the following criteria:

- (a) The commercial uses in the development may be limited in hours of operation, size of delivery trucks, and type of equipment
- (b) The residential uses shall be designed so that they are compatible with the commercial uses
- (c) Residential and commercial uses shall not occupy the same floor of a building
- (d) Residential and commercial uses shall not share the same entrances
- (e) The number of residential dwelling units shall be controlled by the dimensional standards of the B-1 district. A dwelling unit density of .5 (½) dwelling units per 1,000 square feet of the gross floor area devoted to commercial uses, may be allowed (structures with less than 2,000 square feet devoted to commercial uses shall be allowed one dwelling unit). In no case, however, shall the overall dwelling unit density for a mixed-use project exceed 4 dwelling units per acre
- (f) Building height shall not exceed three stories
- (g) A minimum of 30 percent of the mixed-use development shall be

Proposed Zoning Requirements

Section 5.2 B-2, Neighborhood Business District

5.2.1 *Purpose and intent.* The purpose and intent of the B-2 Neighborhood Business District is to provide a limited commercial convenience facility, servicing nearby residential neighborhoods, planned and developed as an integral unit.

5.2.2 *Permitted uses.* The following uses are permitted as of right, or as uses accessory to permitted uses in the B-2, Neighborhood Business District, conditioned on the Commission Site Plan Approval requirements of *Section 18.9*:

- | | |
|--|--|
| (a) All uses permitted by right under the B-1 zoning designation | (v) Floor covering sales or service |
| (b) Antique store | (w) Florist |
| (c) Apparel and accessory store | (x) Fraternity or sorority house |
| (d) Appliance store including repair | (y) Fruit and produce store |
| (e) Art gallery or museum | (z) Gift shop |
| (f) Art supplies | (aa) Hardware store, retail |
| (g) Bait store | (bb) Ice cream parlor |
| (h) Bakery retail | (cc) Interior decorating shop |
| (i) Bed and breakfast or tourist home | (dd) Laundry, self service |
| (j) Bicycle sales and service | (ee) Lawnmower sales and service |
| (k) Boarding, rooming or lodging house, dormitory | (ff) Locksmith |
| (l) Book store | (gg) Music store |
| (m) Café | (hh) Neighborhood convenience store |
| (n) Camera and photo shop | (ii) News stand |
| (o) Candy store | (jj) Paint and wallpaper store |
| (p) Catering shop or service | (kk) Picture framing and/or mirror silvering |
| (q) Copy shop | (ll) Restaurant |
| (r) Delicatessen | (mm) Shoe repair shop |
| (s) Discount/variety store (not to exceed 8,000 square feet) | (nn) Shoe store |
| (t) Drug store (not to exceed 8,000 square feet) | (oo) Sign shop |
| | (pp) Sporting goods store |
| | (qq) Tailor shop |
| | (rr) Tobacco store |
| | (ss) Toy store |

Business District, subject to the standards and procedures established in *Section 18.9: Commission Site Plan Approval*:

- | | |
|--|--|
| (a) Air conditioning sales and service | (q) Park or playground |
| (b) Amusement arcade | (r) Pawn shop |
| (c) Animal clinic/kennels | (s) Pet shop |
| (d) Arboretum | (t) Plumbing shop |
| (e) Ball field | (u) Restaurant sales and supplies |
| (f) Business machine sales and service | (v) Riding academy |
| (g) Car wash | (w) Rug and/or drapery cleaning service |
| (h) Country club | (x) Seafood store |
| (i) Discount/variety store (exceeding 8,000 square feet) | (y) Swimming pool (outdoor) |
| (j) Drug store (exceeding 8,000 square feet) | (z) Tennis court (outdoor) |
| (k) Exterminator service office | (aa) Water storage tank |
| (l) Golf course | (bb) Wildlife sanctuary |
| (m) Liquor store | (cc) Wireless telecommunication facility |
| (n) Mini warehouse | (dd) Dwellings, in combination with commercial uses, subject to the standards listed under Section 5.2.4: Mixed uses |
| (o) Night club, bar, tavern | |
| (p) Office equipment and supplies sales | |

5.2.4 *Mixed uses.* Mixed residential and commercial uses may be permissible as Commission Site Plan in the B-2 Neighborhood Business District, subject to the standards and procedures established in *Section 18.9: Commission Site Plan Approval*, and subject to the following criteria:

- (a) The commercial uses in the development may be limited in hours of operation, size of delivery trucks and type of equipment.
- (b) The residential uses shall be designed so that they are compatible with the commercial uses.
- (c) Residential and commercial uses shall not occupy the same floor of a building.

Zoning Use Table

	RR	RA	CR	BCZ	RSF-E	RSF-1	RSF-2	RSF-3	RSF-4	RTF-4	RSF-6	RTF-6	RMF-6	HDR	RMH	B-1	B-2	B-3	B-4	RV-1	RV-2	LB <small>54000sf</small>	LB <small>54000sf</small>	MR	OR	TR	M-1	M-2	
LOCAL COMMERCIAL USES																													
Accessory structures and uses such as food service, gift or novelty shops, and barber or beauty shops conducted primarily for the convenience of visitors or patrons on the premises and contained within a principal building (see Section 13.1)																											P		
Antique store	P																P	P	P				P	C				P	P
Apparel and accessory store	P																P	P	P				P	C				P	P
Appliance store including repair	P																P	P	P								P	P	
Art supplies	P																P	P	P				P	C			P	P	
Automobile parts sales	P																		C	P							P	P	
Bakery retail	P																P	P	P				P	C			P	P	

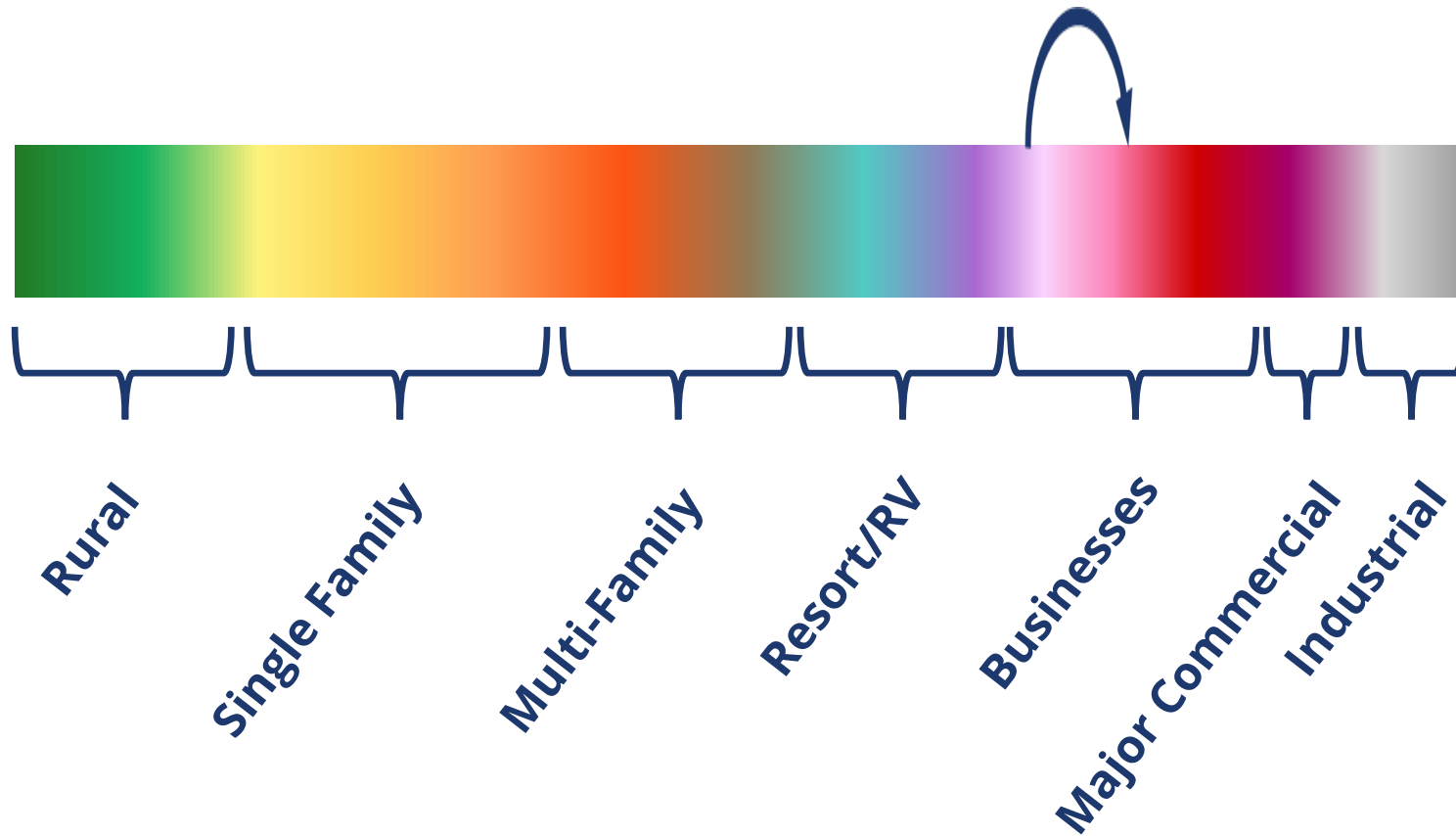
Z24-34 RENFROE PROPERTY

RE-ZONING REQUEST FROM **B-1** TO **B-2**

Lead Staff: Calla McKenzie, Planning Technician II

Current Zoning:
Professional Business (B-1)

Proposed Zoning:
Neighborhood Business (B-2)



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.